

SENATE JOURNAL

OF THE

FIFTH LEGISLATURE

OF THE

STATE OF WASHINGTON,

BEGUN AND HELD AT

OLYMPIA, THE STATE CAPITAL,

JANUARY 11, 1897.

ADJOURNED SINE DIE MARCH 11, 1897.

OLYMPIA, WASH.

O. C. WHITE, . . . STATE PRINTER.

1897.

DIRECTORY.

STATE OFFICERS.

Governor.....	J. R. ROGERS.....	Puyallup.
Private Secretary.....	J. E. BALLAINE.....	Colfax.
Lieutenant Governor.....	THURSTON DANIELS.....	Vancouver.
Secretary of State.....	WILL D. JENKINS.....	New Whatcom.
Chief Deputy.....	HORATIO ALLING.....	New Whatcom.
Deputy Insurance Commissioner.....	C. G. HEIPNER.....	Seattle.
Deputy Commissioner of Statistics.....	JOHN W. GUNN.....	Snohomish.
Treasurer.....	C. W. Young.....	Pullman.
Chief Deputy.....	C. W. BOWNE.....	Spokane.
Auditor.....	NEAL CHEETHAM.....	Garfield.
Chief Deputy.....	D. B. GARRISON.....	Colfax.
Attorney General.....	P. H. WINSTON.....	Spokane.
Assistant Attorney General.....	T. M. VANCE.....	North Yakima.
Supt. of Public Instruction.....	FRANK J. BROWNE.....	Columbia.
Commissioner of Public Lands.....	ROBERT BRIDGES.....	Seattle.
Chief Deputy.....	LEE MELLUER.....	Seattle.
State Printer.....	GWIN HICKS.....	Olympia.

SUPREME COURT.

Chief Justice, ELMON SCOTT.....	Whatcom, elected 1892.
Associate Judge, T. J. ANDERS.....	Walla Walla, elected 1892.
Associate Judge, R. O. DUNBAR.....	Goldendale, elected 1894.
Associate Judge, M. J. GORDON.....	Olympia, elected 1894.
Associate Judge, JAMES B. REAVIS.....	North Yakima, elected 1896.
Clerk of Supreme Court, C. S. REINHART.....	Goldendale.
Reporter, E. G. KREIDER.....	Olympia.

MEMBERS OF THE FIFTH SENATE.

<i>No. dist.</i>	<i>Name.</i>	<i>Politi- tics.</i>	<i>Residence.</i>	<i>Counties represented.</i>	<i>When elected..</i>
1.....	F. M. Baum.....	Dem...	Alma	{ Lincoln. Okanogan }	1896.
2.....	W. B. Field.....	Pop...	Loon Lake.....	{ Stevens..... Spokane	1894.
3.....	W. H. Plummer.....	Pop...	Spokane	Spokane	1896.
4.....	H. E. Houghton.....	P. P...	Spokane ..	Spokane	1896.
5.....	W. E. Runner.....	Pop...	Deep Creek Falls	Spokane	1896.
6.....	L. C. Crow	P. P...	Palouse City	Whitman.....	1894.
7.....	Oliver Hall.....	Rep...	Colfax.....	Whitman.....	1894.
8.....	J. C. Van Patten.....	Pop...	Dayton	{ Asotin..... Columbia..... Garfield	1896.
9.....	John I. Yeend.....	P. P...	Walla Walla.....	{ Adams	1896.
10.....	David Miller	Dem...	Walla Walla.....	{ Franklin..... Walla Walla.. }	1896.
11.....	Daniel Paul.....	Dem...	Coulee City.....	{ Walla Walla.... Douglas	1896.
12.....	D. E. Lesh.....	Rep...	North Yakima.....	{ Kittitas..... Klickitat..... }	1894.
13.....	Augustus High.....	Pop...	Vancouver.....	{ Yakima	1896.
14.....	J. G. Megler.....	Rep...	Brookfield.....	{ Clarke	1896.
15.....	Joseph Hill.....	Pop...	Silver Creek	{ Skamania..... Cowlitz..... }	1894.
16.....	F. G. Deckebach.....	Rep...	Ocosta.....	{ Pacific	1896.
17.....	John McReavy.....	Dem...	Union City.....	{ Wahkiakum .. }	1894.
18.....	Thos. J. Miller.....	P. P...	Olympia	{ Lewis	1896.
19.....	E. C. Keith.....	P. P...	South Prairie.....	{ Chehalis	1894.
20.....	E. W. Taylor.....	S.Rep.	Tacoma.....	{ Island	1896.
21.....	S. Warburton	Rep...	Tacoma.....	{ Kitsap	1896.
22.....	J. A. Cole	P. P...	Tacoma.....	{ Mason..... }	1896.
23.....	C. M. Easterday.....	S.Rep.	Tacoma.....	Thurston	1896.
24.....	John Wooding.....	Rep...	Auburn.....	Pierce	1894.
25.....	J. M. Frink.....	Rep...	Seattle	Pierce	1894.
26.....	R. C. Washburn.....	Rep...	Auburn.....	Pierce	1894.
27.....	Frank P. Lewis.....	Rep...	Seattle	Pierce	1894.
28.....	J. W. Range.....	Pop...	Seattle	King	1894.
29.....	V. A. Pusey.....	Rep...	Seattle	King	1894.
30.....	R. C. Wilson	Rep...	Port Angeles.....	{ Clallam..... Jefferson	1894.
31.....	J. A. Davis	P. P...	Snohomish	Snohomish	1896.
32.....	F. C. Harper	Rep...	East Sound.....	{ San Juan..... Skagit..... }	1894.
33.....	S. D. Reinhart.....	P. P...	Laurel.....	Whatcom.....	1896.
34.....	C. W. Dorr.....	Rep...	New Whatcom.....	Whatcom.....	1894.

OFFICERS OF THE SENATE.

PRESIDENT :

LIEUT. GOV. THURSTON DANIELS, VANCOUVER.

SECRETARY :

DUDLEY ESHELMAN, TACOMA.

<i>Name.</i>	<i>Office.</i>	<i>Residence.</i>
R. W. Hagood.....	Assistant secretary.....	Vancouver.
Ethan Allen.....	Sergeant-at-arms.....	Spokane.
George W. Race.....	Assistant sergeant-at-arms.....	Tacoma.
T. E. Skaggs.....	Minute clerk.....	Snohomish.
Anna Morgan.....	Bill clerk.....	Palouse City.
Goldie Conner.....	Assistant bill clerk.....	Tacoma.
J. D. Hannegan.....	Journal clerk.....	Whatcom.
Ella J. Munson.....	Assistant journal clerk.....	Seattle.
Miss Miriam Tannatt.....	Enrolling clerk.....	Farmington.
J. W. McBride.....	Engrossing clerk.....	Ellensburg.
Thomas J. Taylor.....	Postmaster and messenger.....	Shelton.
Miss Belle Knox.....	Docket clerk.....	Olympia.
Carl Meyer.....	Page.....	Olympia.
Willie Skinner.....	Page.....	Olympia.
W. H. Tucker.....	Janitor.....	Olympia.
L. J. Torpey.....	Night watchman.....	Toledo.
Della Smith.....	Assistant engrossing clerk.....	Walla Walla.
Oscar L. Ingram.....	Stenographer.....	Walla Walla.
Charles S. Ryan.....	Doorkeeper.....	Spokane.
Miss S. E. Jackson.....	Judiciary clerk.....	Tacoma.
Edward Johnson.....	Committee clerk.....	Waterville.
C. E. Maxfield.....	Committee clerk.....	Shuwah.
H. L. Bowmer.....	Committee clerk.....	Dayton.
John G. Boyle.....	Committee clerk.....	N'th Yakima.
Frank J. Kinghorn.....	Committee clerk.....	Vancouver.
Anna G. McEachern.....	Committee clerk.....	Seattle.
J. O. Wing.....	Committee clerk.....	Washougal.
W. M. Martin.....	Assistant enrolling clerk.....	Olympia.
R. W. Winchell.....	Assistant enrolling clerk.....	Seattle.
R. H. Norton.....	Assistant enrolling clerk.....	Roslyn.
Alice C. Strohm.....	Assistant enrolling clerk.....	Dayton.

JOURNAL OF THE SENATE.

FIRST DAY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 11, 1897. }
12 o'clock noon.

The fifth Senate of the State of Washington assembled at the Senate chamber, in the state capitol, pursuant to law, at 12 o'clock noon, this day. Lieutenant Governor F. H. Luce, *ex officio* president of the fourth Senate, called the Senate to order.

The Secretary of State, J. H. Price, read the following communications:

STATE OF WASHINGTON, DEPARTMENT OF STATE,
OLYMPIA, January 11, 1897.

Hon. F. H. Luce, President of the Senate, State of Washington:

SIR—I have the honor to transmit herewith a certified list containing the names of all persons elected as members of the State Senate, State of Washington, at the last general election, as shown by the election returns of said election now on file in this office, together with a list of the “hold-over” senators. Very respectfully, J. H. PRICE, Secretary of State.

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,
OLYMPIA, January 11, 1897.

I, J. H. Price, Secretary of State of the State of Washington, do hereby certify that the following list contains the names of all senators elected at the last general election, from the districts herein designated, as members of the present session:

<i>First District,</i>	. . . . .	FRANK M. BAUM.
<i>Third District,</i>	. . . . .	W. H. PLUMMER.
<i>Fourth District,</i>	. . . . .	H. E. HOUGHTON.
<i>Fifth District,</i>	. . . . .	W. E. RUNNER.
<i>Eighth District,</i>	. . . . .	J. C. VAN PATTEN.
<i>Ninth District,</i>	. . . . .	JOHN I. YEEND.
<i>Tenth District,</i>	. . . . .	DAVID MILLER.
<i>Eleventh District,</i>	. . . . .	DANIEL PAUL.
<i>Thirteenth District,</i>	. . . . .	AUGUSTUS HIGH.
<i>Fifteenth District,</i>	. . . . .	JOSEPH HILL.

<i>Seventeenth District,</i>	. . . . .	JOHN McREAVY.
<i>Eighteenth District,</i>	. . . . .	T. J. MILLER.
<i>Nineteenth District,</i>	. . . . .	EDWARD C. KEITH.
<i>Twenty-first District,</i>	. . . . .	STANTON WARBURTON.
<i>Twenty-second District,</i>	. . . . .	JACOB A. COLE.
<i>Thirty-first District,</i>	. . . . .	JOHN A. DAVIS.
<i>Thirty-third District,</i>	. . . . .	S. D. REINHART.

In witness whereof, I have hereunto set my hand and affixed the seal of the State of Washington, this 11th day of January, A. D. 1897.

[SEAL.]

J. H. PRICE, Secretary of State.

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,
OLYMPIA, January 11, 1897.

I, J. H. Price, Secretary of State of the State of Washington, do hereby certify that the following list contains the names of all Senators entitled to seats in the present session as "hold-over" senators from the fourth session of the Senate of this state:

<i>Second District,</i>	. . . . .	WILLARD B. FIELD.
<i>Sixth District,</i>	. . . . .	L. C. CROW.
<i>Seventh District,</i>	. . . . .	OLIVER HALL.
<i>Twelfth District,</i>	. . . . .	D. E. LESH.
<i>Fourteenth District,</i>	. . . . .	J. G. MEGLER.
<i>Sixteenth District,</i>	. . . . .	F. G. DECKEBACH.
<i>Twentieth District,</i>	. . . . .	E. W. TAYLOR.
<i>Twenty-third District,</i>	. . . . .	C. M. EASTERDAY.
<i>Twenty-fourth District,</i>	. . . . .	JOHN WOODING.
<i>Twenty-fifth District,</i>	. . . . .	J. M. FRINK.
<i>Twenty-sixth District,</i>	. . . . .	R. C. WASHBURN.
<i>Twenty-seventh District,</i>	. . . . .	FRANK P. LEWIS.
<i>Twenty-eighth District,</i>	. . . . .	J. W. RANGE.
<i>Twenty-ninth District,</i>	. . . . .	V. A. PUSEY.
<i>Thirtieth District,</i>	. . . . .	R. C. WILSON.
<i>Thirty-second District,</i>	. . . . .	F. C. HARPER.
<i>Thirty-fourth District,</i>	. . . . .	C. W. DORR.

In testimony whereof, I have hereunto set my hand and affixed the seal of the State of Washington, the day and year first above written.

[SEAL.]

J. H. PRICE, Secretary of State.

By direction of the president, the assistant secretary of the Senate, A. B. Cowles, called the roll of the Senate; all members present.

Chief Justice Hoyt was invited by the president, and administered the oath of office to the senators-elect as follows: Frank M. Baum, W. H. Plummer, H. E. Houghton, W. E. Runner, J. C. Van Patten, John I. Yeend, David Miller, Daniel Paul, Augustus High, Joseph Hill, John McReavy, T. J. Miller, Edward C. Keith,

Stanton Warburton, Jacob A. Cole, John A. Davis, and S. D. Reinhart.

Lieutenant Governor Daniels, elect, was invited to take a seat by the president.

On motion of Senator Dorr, the rules of the fourth session were adopted temporarily.

Senator Wilson introduced the following resolution:

WHEREAS, It is the desire of the Senate to limit the expenses of this session to the lowest possible amount; and

WHEREAS, It is claimed that heretofore more clerks and assistants have been employed than were necessary: now, be it

Resolved, That a committee of five be appointed by the president to examine into the matter of the expenses of the Senate and report to the Senate to-morrow, and especially as to what clerks and assistants should be employed, and what salaries should be paid.

On motion of Senator Plummer, the resolution was laid on the table by the following vote:

Those voting in the negative were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson and Wooding — 14.

Those voting in the affirmative were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 20.

ELECTION OF OFFICERS OF THE SENATE.

Senator Keith nominated Dudley Eshelman for secretary of the Senate, who was elected by the following vote:

Those voting for Mr. Eshelman were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, Wooding, and Yeend — 31.

Not voting: Senators Megler, Taylor and Wilson — 3.

Senator Keith nominated R. W. Hagood for assistant secretary, who was elected by the following vote:

Those voting for Mr. Hagood were: Senators Baum, Cole, Crow, Davis, Deckebach, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 21.

Not voting: Senators Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 13.

Senator Keith nominated Ethan Allen for sergeant-at-arms, who was elected by the following vote:

Those voting for Mr. Allen were: Senators Baum, Cole, Crow, Davis, Deckebach, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 21.

Not voting: Senators Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 13.

Senator Keith nominated George W. Race for assistant sergeant-at-arms, who was elected by the following vote:

Those voting for Mr. Race were: Senators Baum, Cole, Crow, Davis, Deckebach, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 21.

Not voting: Senators Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 13.

Senator Dorr moved that the Senate adjourn until 10 o'clock to-morrow.

The motion was lost.

A motion to take a recess of ten minutes was lost.

Senator Wilson nominated Senator Easterday as president of the Senate *pro tem*.

Senator Easterday declined the nomination and withdrew his name.

Senator Crow moved to defer the election of president of the Senate *pro tem*.

Senator Wilson moved to amend by deferring the election of all the remaining officers of the Senate.

The motion was lost.

Senator Keith nominated T. E. Skaggs for minute clerk, who was elected by the following vote:

Those voting for Mr. Skaggs were: Senators Baum, Cole, Crow, Davis, Deckebach, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David,

Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, Wooding, and Yeend — 30.

Not voting: Senators Dorr, Frink, Taylor, and Wilson — 4.

Mr. George B. Kittinger, of the committee from the House, announced that the House was organized and ready for business.

Senator Harper introduced the following:

SENATE JOINT RESOLUTION NO. 1.

Resolved by the Senate, the House concurring, That a joint committee to consist of two members of the Senate and three members of the House, be appointed to examine into the merits of the proposition of the postmaster of Olympia, relative to the delivery of mail to the members of both houses, with the view of saving a large expense to the state, and facilitating the delivery of mail; and that the committee shall report at the session to-morrow.

The resolution was accompanied by the following communication:

To the members of the Senate and House of Representatives of the State of Washington:

Having noted the unsatisfactory service rendered in the last three sessions of the legislature of this state by inefficient postmasters of the Senate and House, appointed more as a reward for party service than for efficiency, and believing that an improvement in this service would be desirable, I take the liberty of making the following statement:

There is at this office a substitute carrier not at present on duty who is thoroughly competent to serve both Senate and House in this capacity with satisfaction. His services can be secured for the regular carrier's salary, viz.: \$2.50 per day, and if appointed he will have free access to the mailing room of this office at all times of the day or night, including Sundays, and I will provide him with a working case in the office, thereby enabling him to get his mail from 30 to 45 minutes sooner than any one not in the government service. I will also place in the capitol building a street letter box and a package box, to which he will be allowed a key, thus placing all mail immediately under lock and government charge. I have endeavored to secure an appropriation for this, but the department refused to grant the request.

My sole object in making this proposition is to promote the efficiency of the service, realizing that poor service on the part of Senate and House postmasters, even though not in government employ, will reflect more or less discredit upon this office.

This carrier's name is Morris C. Crandall. He will wear the regulation carrier's uniform, enabling him to be easily distinguished. I know him to be thoroughly reliable, courteous and competent. Respectfully,

A. W. WISNER, Postmaster.

On motion, the resolution was laid on the table by the following vote:

Those voting in the affirmative were: Senators Baum, Cole, Crow, Davis, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, and Yeend — 18.

Those voting in the negative were: Senators Deckebach, Dorr, Easterday, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 16.

On motion of Senator Wilson, at 1:20 p. m. the Senate took a recess until 3 o'clock.

AFTERNOON SESSION.

Pursuant to adjournment, the Senate was called to order by President Luce at 3 o'clock p. m.

The secretary called the roll, showing all members present.

Senator Range nominated Senator Plummer for president *pro tem.* of the Senate.

Senator Dorr nominated Senator Frink for president *pro tem.* of the Senate.

Those voting for Senator Plummer were: Senators Baum, Cole, Crow, Davis, Easterday, Field, Frink, High, Hill, Houghton, Keith, McReavy, Miller T. J., Miller David, Paul, Range, Reinhart, Van Patten, and Yeend — 19.

Those voting for Senator Frink were: Senators Deckabach, Dorr, Hall, Harper, Lesh, Lewis, Megler, Plummer, Pusey, Warburton, Washburn, Wilson, and Wooding — 13.

Not voting: Senators Taylor and Runner — 2.

Senator Plummer having received a majority of all the votes cast, was declared elected president *pro tem.* of the Senate.

Senator Keith nominated Anna Morgan for bill clerk.

Senator Wilson nominated Miss Personeus.

Those voting for Anna Morgan were: Senators Baum, Cole, Crow, Davis, Easterday, Field, Hall, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 21.

Those voting for Miss Personeus were: Senators Deckebach, Dorr, Frink, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 13.

Anna Morgan was declared elected.

Senator Keith nominated J. D. Hannegan for journal clerk.

Senator Taylor nominated Miss Ella J. Munson for journal clerk.

Those voting for J. D. Hannegan were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, and Yeend — 19.

Those voting for Miss Munson were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Range, Taylor, Warburton, Washburn, Wilson, and Wooding — 15.

J. D. Hannegan was declared elected.

Senator Dorr offered the following resolution:

Resolved, That the secretary of the Senate be and he is hereby directed to procure such necessary printed blanks as shall be required for the transaction of the business of the Senate.

The resolution was adopted.

Senator Keith nominated W. R. Conway for engrossing clerk.

Senator Wilson nominated Miss Mary Stuart.

Mr. Conway received 19 votes; Miss Stuart, 15.

Those voting for Mr. Conway were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Van Patten, and Yeend — 19.

Those voting for Miss Stuart were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 15.

W. R. Conway was declared elected.

Senator Keith, of Pierce, nominated E. D. Peasley for enrolling clerk.

Senator Hall nominated Miss Tannatt.

Mr. Peasley received 19 votes; Miss Tannatt, 15.

Those voting for Mr. Peasley were: Senators Baum, Cole, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 19.

Those voting for Miss Tannatt were: Senators Crow, Decke-

bach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 15.

Senator Keith nominated Thomas J. Taylor for postmaster and messenger.

Senator Dorr nominated J. S. Burrows.

Mr. Taylor received 19 votes; Mr. Burrows, 14.

Those voting for Mr. Taylor were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Van Patten, and Yeend — 19.

Those voting for Mr. Burrows were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lewis, Megler, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 14.

Not voting: Senator Lesh.

Senator Keith placed L. J. Torpey in nomination for janitor. He received 32 votes, as follows:

Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 32.

Not voting: Senators Hall and Warburton.

Senator Keith placed W. H. Tucker in nomination for night watchman.

Senator Dorr nominated Charles Storrs.

Mr. Tucker received 20 votes; Mr. Storrs, 13.

Those voting for Mr. Tucker were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 20.

Those voting for Mr. Storrs were: Senators Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 13.

Not voting: Senator Deckebach.

Senator Wilson moved that the election of assistant engrossing and enrolling clerks be postponed one week.

Senator Dorr offered an amendment dispensing with them altogether.

Senator Plummer moved to lay the motion on the table. Carried.

Senator Wilson moved to take the original motion from the table.

The motion was lost by the following vote: Ayes 16, noes 17.

Senator Keith nominated Della Smith for assistant engrossing clerk.

Senator Wilson nominated Miss Love.

Miss Smith received 20 votes; Miss Love, 12.

Those voting for Miss Smith were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 20.

Those voting for Miss Love were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Warburton, Washburn, and Wilson — 12.

Not voting: Senator Wooding.

Senator Keith nominated Miss Goldie Conner for assistant enrolling clerk.

Those voting for Miss Conner were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, Washburn, and Yeend — 26.

Senator Lewis voted for Miss Ella J. Munson.

Those not voting were: Senators Frink, Pusey, Taylor, Warburton, Wilson, and Wooding — 7.

Senator Keith placed in nomination for assistant journal clerk, Miss Ella J. Munson.

Those voting for Miss Munson were: Senators Baum, Cole, Davis, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Van Patten, Wooding, and Yeend — 21.

Absent or not voting were: Senators Crow, Deckebach, Dorr, Easterday, Field, Frink, Lewis, Reinhart, Runner, Taylor, Warburton, Washburn, and Wilson — 13.

The following resolution introduced by Senator Miller, of Thurston, was adopted as amended by Senators Easterday and Taylor:

Resolved, That the enrolling clerk, assistant enrolling clerks, assistant engrossing clerk, and bill clerks, and all committee clerks, be not placed upon the payroll of the Senate until so ordered by the Senate.

The following resolution offered by Senator Harper was unanimously adopted:

Resolved, That the sergeant-at-arms be, and he is hereby instructed to furnish locks and keys for the desks.

On motion of Senator Easterday, Chief Justice Hoyt administered the oath of office to the following officers-elect:

<i>President pro tem</i> ,	SENATOR PLUMMER.
<i>Secretary</i> ,	DUDLEY ESHELMAN.
<i>Assistant Secretary</i> ,	R. W. HAGOOD.
<i>Sergeant-at-Arms</i> ,	ETHAN ALLEN.
<i>Assistant Sergeant-at-Arms</i> ,	GEO. W. RACE.
<i>Minute Clerk</i> ,	T. E. SKAGGS.
<i>Journal Clerk</i> ,	J. D. HANNEGAN.
<i>Postmaster and Messenger</i> ,	THOS. J. TAYLOR.
<i>Watchman</i> ,	W. H. TUCKER.
<i>Enrolling Clerk</i> ,	E. D. PEASLEY.
<i>Engrossing Clerk</i> ,	W. R. CONWAY.
<i>Janitor</i> ,	L. J. TORPEY.

Senator Keith nominated Oscar L. Ingram for stenographer.

Those voting for Mr. Ingram were: Senators Baum, Cole, Crow, Davis, Easterday, Field, Harper, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 21.

Absent or not voting: Senators Deckebach, Dorr, Frink, Hall, Lesh, Lewis, Megler, Pusey, Taylor, Warberton, Washburn, Wilson, and Wooding — 13.

Oscar L. Ingram was declared elected.

Senator Keith nominated S. L. Bohon for docket clerk.

Those voting for Mr. Bohon were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Frink, Hall, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Wilson, and Yeend — 25.

Absent or not voting: Senators Crow, Field, Lesh, Lewis, Taylor, Warburton, Washburn, and Wooding — 8.

Senator Taylor nominated Willie Skinner for page.

Senator Keith placed Carl Meyer in nomination.

Those voting for Willie Skinner were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Plummer, Pusey, Range, Reinhart, Run-

ner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 32.

Senator Miller, of Thurston, voted for Carl Meyer.

Senator Paul not voting.

Senator Keith nominated Earnest Range for page.

Senator Miller, of Thurston, nominated Carl Meyer.

Those voting for Carl Meyer were: Senators Davis, Dorr, East-
erday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis,
McReavy, Megler, Miller David, Miller T. J., Paul, Range, Rein-
hart, Runner, Taylor, Warburton, Washburn, and Wilson — 23.

Those voting for Earnest Range were: Senators Keith, Plum-
mer, Van Patten, and Yeend — 4.

Absent or not voting: Senators Baum, Cole, Crow, Deckebach,
Lesh, Pusey, and Wooding — 7.

Senator Plummer introduced the following resolution.

Resolved, That a committee consisting of Senators Miller T. J., Megler,
Keith, Paul, Lesh and Range be appointed by the president to fix the
compensation of Senate employes, and report to this Senate to-morrow.

On motion of Senator Crow, the resolution was laid on the table.

President Luce announced that the Senate was organized and
ready for business.

Senator Crow moved that the president appoint a committee of
five to fix the compensation of the employes of the Senate. Car-
ried.

At the request of the chair, Senator Van Patten offered prayer.

Senate bill No. 1, by Senator Wilson: An act appropriating the
sum of thirty thousand dollars for the payment of the salaries of
members, employes and other expenses of this session of the legis-
lature.

Read first time by title.

On motion of Senator Dorr, the rules were suspended, the bill
was read the second time by title, and referred to the committee
of the whole.

President Luce administered the oath of office to Pages Willie
Skinner and Carl Meyer.

On motion of Senator Crow, the Senate adjourned until 10
o'clock A. M. January 12, 1897.

SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 12, 1897. }
10 o'clock A. M.

President Luce called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll. All members being present.

The journal of the previous day was read.

The approval of the journal was postponed until corrected.

Senator Wilson introduced the following resolution:

WHEREAS, At a caucus held some days before the opening of this session by the democrats, silver republicans and populists, comprising a majority of this body, a schedule was made up specifying what clerks and assistants should be employed, what persons should have the positions and what salaries should be paid to them respectively, which said schedule as printed and distributed in the Senate was and is in the words, letters and figures following, to wit:

EMPLOYES OF THE SENATE.

Secretary.....	Dudley Eshelman.....	\$5 00
Assistant.....	R. W. Hagood.....	5 00
Sergeant-at-Arms.....	Ethan Allen.....	5 00
Assistant.....	Geo. W. Race.....	4 00
Minute Clerk.....	T. E. Skaggs.....	4 00
Bill Clerk.....	Anna Morgan.....	3 50
Journal Clerk.....	J. D. Hannegan.....	3 50
Enrolling Clerk.....	E. D. Peasley.....	3 50
Engrossing Clerk.....	W. R. Conway.....	3 50
Postmaster and Messenger.....	Thos. J. Taylor.....	3 50
Page.....	Carl Meyer.....	1 50
Page.....	Ernest L. Range.....	1 50
Janitor.....	J. L. Torpey.....	3 50
Watchman.....	W. H. Tucker.....	3 50
Assistant Engrossing Clerk.....	Della Smith.....	3 50
Assistant Enrolling Clerk.....	Belle Knox.....	3 50
Assistant Enrolling Clerk.....	Goldie Conner.....	3 50
Stenographer.....	Oscar L. Ingram.....	3 50
Docket Clerk.....	S. L. Behon.....	3 50
Judiciary Clerk.....		4 00
All other employes of the Senate.....		3 50

AND WHEREAS, As many clerks and assistants are specified in said list as were employed at the session of 1895;

AND WHEREAS, The salaries specified are practically the same as those paid at said session of 1895;

AND WHEREAS, It has been claimed by the populists, democrats and

silver republicans that more clerks and assistants have been employed heretofore and higher salaries paid than were necessary;

AND WHEREAS, In fact, along with the slump in the values and prices of property a considerable decline has taken place in the value of labor in all forms, and it is the duty of this Senate to protect the interests of the state: now, be it

Resolved, That it is the sense of this Senate that, under existing circumstances, the salaries specified in said schedule are higher than are warranted.

On motion of Senator Plummer, the resolution was laid on the table.

Senator Megler moved that the secretary be instructed to notify the House that the Senate was ready to meet with it in joint session for the purpose of canvassing the election returns.

Senator Dorr moved as an amendment that three Senators be appointed.

Amendment carried.

The president appointed Senators Dorr, Crow and Paul.

On motion of Senator Taylor, the Senate resolved itself into the committee of the whole for the purpose of considering Senate bill No. 1.

The bill was considered in the committee, Senator Deckebach in the chair, and reported back to the Senate that it pass as amended: Increasing the amount from thirty thousand to fifty thousand dollars; adding the words, "or as much thereof as may be necessary," and after the word "appropriated," "to be appropriated out of the general fund."

The bill was read the third time.

On motion of Senator Taylor, the bill was laid on the table, subject to the call of the Senate.

The following concurrent resolution was offered by Senator Megler:

CONCURRENT RESOLUTION No. 2.

Resolved by the Senate, the House concurring, That a committee of two from the Senate and three from the House be appointed to inform the governor that the legislature is organized and ready to receive any communications he may desire to make.

The resolution was adopted.

President Luce appointed the following senators on the Committee on Salaries: Senators Crow, Keith, Baum, Dorr, Wilson.

The following joint resolution No. 3 was introduced by Senator Keith: Relative to Cuban insurrection.

The resolution was read the first time; rules suspended, read second time by title, and referred to the Committee on Memorials.

Senator Miller, of Thurston, introduced concurrent resolution No. 4: "Relative to the filing of affidavit by candidates for the United States Senate that they have not used money directly or indirectly to influence the vote of any member of the legislature."

The following concurrent resolution No. 5 was introduced by Senator Crow: Relative to the matter of Cuban insurrection.

The resolution was read the first time; rules suspended, read second time by title, and referred to Committee on Memorials.

The secretary read the following communication from the secretary of state:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE.
OLYMPIA, January 11, 1897.

To the Hon. President of the Senate, State of Washington:

SIR—I have the honor to transmit herewith, for the consideration of the Senate, Senate bills Nos. 196, 153, 290, 8 and 320, session of 1895, which were vetoed by the governor, and filed in this office as provided by section 12, article 3, State Constitution.

Very respectfully, J. H. PRICE, Secretary of State.

On motion bills were made a special order for two weeks from to-day, Tuesday, January 26, 1897, as follows: No. 196, at 10 o'clock A. M.; No. 153, at 11 o'clock A. M.; No. 290, at 2 o'clock P. M.; No. 8, at 3 o'clock P. M., and No. 320 at 4 o'clock P. M.

J. P. de Mattos, chairman of the committee from the House, announced that the House had invited the Senate to meet with it in joint session at 2 o'clock P. M., for the purpose of canvassing the election returns.

The following resolution was introduced by Senator Plummer:

Resolved, That the sergeant-at-arms be and he is hereby directed to procure \$5.00 worth of postage stamps and the necessary stationery for the president of the Senate and for each member thereof.

The resolution was adopted.

The president appointed Senators Megler and Miller of Walla Walla on the committee to notify the governor that the Senate was organized and ready to receive any communications from him.

On motion of Senator Deckebach, the Senate adjourned until 1:45 o'clock P. M.

AFTERNOON SESSION.

President Luce called the Senate to order at 1:45 o'clock P. M., pursuant to adjournment.

The secretary called the roll. All members present.

The committee to notify the governor reported that the governor desired to meet the Senate and House in joint session at 12 o'clock M. to-morrow to deliver his farewell message.

The report was received and the committee discharged.

Senator Wilson moved that when the Senate adjourn it be until 11:45 o'clock to-morrow.

President Luce administered the oath of office to the stenographer, Oscar L. Ingram.

On motion of Senator Dorr, the Senate proceeded to the House at 2 P. M. to meet in joint session to canvass the election returns.

JOINT SESSION.

The Senate and House met in joint session at 2:15 o'clock P. M.

The roll was called. All members answering to their names.

The joint body then proceeded to canvass the vote on state officers.

It was found that the following persons received the votes:

FOR GOVERNOR.

P. C. Sullivan.....	38,774
John R. Rogers.....	50,089
R. E. Dunlap.....	2,525

FOR LIEUTENANT GOVERNOR.

John W. Arrasmith	39,620
Thurston Daniels.....	49,846
T. A. Shorthill.....	1,369
A. C. Dickenson	271

FOR SECRETARY OF STATE.

James H. Price.....	39,247
Will D. Jenkins	51,790
C. L. Haggard.....	984

FOR STATE TREASURER.

J. A. Kellogg.....	39,977
C. W. Young.....	49,710
John Robin.....	1,284

FOR STATE AUDITOR.

J. E. Frost.....	38,782
Neal Cheetham	49,733
C. C. Gridley.....	1,209

FOR ATTORNEY GENERAL.

E. W. Ross.....	38,910
Patrick Henry Winston.....	50,737
Everett Smith.....	1,614

FOR SUPERINTENDENT OF PUBLIC INSTRUCTION.

E. L. Brunton.....	38,437
Frank J. Browne	48,358
C. E. Newberry.....	1,318

FOR COMMISSIONER OF PUBLIC LANDS.

William T. Forrest.....	39,031
Robert Bridges.....	49,755
A. E. Flagg.....	1,227

Mr. Speaker declared the following candidates elected to the following offices:

<i>Governor</i>	JOHN R. ROGERS.
<i>Lieutenant Governor</i>	THURSTON DANIELS.
<i>Secretary of State</i>	WILL D. JENKINS.
<i>State Treasurer</i>	C. W. YOUNG.
<i>Auditor</i>	NEAL CHEETHAM.
<i>Attorney General</i>	PATRICK HENRY WINSTON.
<i>Superintendent of Public Instruction</i>	FRANK J. BROWNE.
<i>Commissioner of Public Lands</i>	ROBERT BRIDGES.

On motion of Senator Wilson, the joint session dissolved at 4:50 P. M.

Senate bill No. 2, by Senator Miller, of Thurston: An act directing the state treasurer to invest certain moneys in the tide land fund in general warrants, and declaring an emergency.

The bill was read the first time.

On motion of Senator Easterday, the rules were suspended, and the bill was read the second time by title, and referred to the committee of the whole.

On motion of Senator Houghton, the Senate went into the committee of the whole to consider Senate bill No. 2.

The bill was considered in the committee, Senator Houghton in the chair, and reported back to the Senate with the recommendation that it pass.

House bill No. 23, by Mr. Wilkeson: An act making an appropriation to continue the operation of the state salmon hatcheries.

The bill was read the first time; the rules were suspended, the bill read second time by title, and referred to committee of the whole at 1 p. m., Thursday, January 14, 1897.

On motion of Senator Keith, the sergeant-at-arms was instructed to furnish globes for the lights.

On motion of Senator Plummer at 5:15 o'clock p. m., the Senate adjourned until to-morrow morning at 11:45 o'clock p. m.

THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 13, 1897, }
11:45 o'clock A. M.

President Luce called the Senate to order at 11:45 o'clock A. M., pursuant to adjournment.

The secretary called the roll, showing all members present.

Senator Plummer nominated Charles S. Ryan for doorkeeper.

Mr. Ryan received 15 votes. Those voting for him were: Senators Baum, Cole, Deckebach, Dorr, Field, Harper, Hill, Keith, McReavy, Megler, Plummer, Range, Reinhart, Van Patten, and Yeend.

There not being a quorum, the president declared that there was no election.

Senator Plummer asked unanimous consent to place Mr. Ryan in nomination again.

Senator Wilson objected.

Senator Plummer asked for call of Senate.

The secretary called the roll, which showed a quorum present.

On motion of Senator Megler, further call of the Senate was dispensed with.

Senator Plummer again nominated Charles S. Ryan for doorkeeper.

Senator Reinhart nominated J. S. Burrows.

A motion to add the title of day watchman to the office of doorkeeper failed to pass.

A committee from the House announced that the House was ready to meet the Senate in joint session to receive the retiring governor's message.

The Senate retired to the House.

JOINT SESSION.

The Senate and House of Representatives met in joint session in the House of Representatives at 12 o'clock m.

The speaker of the House invited Lieutenant Governor Luce, president of the Senate, to preside over the joint session.

The roll of the Senate and House was called, all members being present, except Senator Wooding.

Senator Washburn moved that the chair appoint a committee, consisting of five senators and five representatives, to inform the governor that the legislature was ready to receive his message.

The motion was carried.

The chair appointed Senators Crow, Megler, Washburn, Miller, and Representatives Wilkeson, Merrifield, and Libby.

The sergeant-at-arms announced the presence of Governor McGraw.

On the invitation of President Luce, the governor advanced to the speaker's chair.

He was then introduced to the senators and representatives in joint session and delivered the following message:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT, OLYMPIA, January 13, 1897.

Gentlemen of the Senate and House of Representatives:

You are assembled to exercise the highest privilege known to man in a free state, that of making laws to govern your fellow men. Upon your action may depend the lives and welfare of your friends and neighbors; the prosperity and advancement of our cherished commonwealth, and the worth of your future. Remembering the maxim whose truth has been approved by the experience of ages, "That people is best governed which is least governed," you will, I am assured, approach the execution of your delicate duties with caution and prudence, to the end that all good citizens may approve your course.

"In a free country," said that noble spirit, George William Curtis, who devoted a long and lovely life to one of the best of popular reforms, that of civil service, "an election is intended to be, and of right should be, the choice of differing policies of administration by the people at the polls." But government by party does not imply that partisan feelings, party spirit, should enter into government, least of all in our federal republic where its perniciousness has been most felt, for even at the outset of our

nation that wise man whose name our state commemorates, said of party spirit, "It exists under different shapes in all government, more or less stifled, controlled or repressed; but in those of popular form it is seen in its greatest rankness, and is truly their worst enemy."

Fortunately for our national welfare the political forces at work have, as a rule, been so evenly balanced that the resultant, especially in legislation, has been to urge us upward and onward in material and social progress between closely converging lines, no matter what party has been in power. The evils of party spirit have been most viciously exercised in states where the balance of power between parties has been least evenly divided. Indeed, it may be said that it is an axiom of practical politics that large legislative majorities are most difficult to harmonize for a wise common purpose.

You, gentlemen, more truly than has been wonted in our legislative assemblies, represent all the people of the state in their political convictions. Every shade of opinion known to our politics is, I believe, represented among you. This, in my judgment, is as it should be; for, to be frank with you, I for one do not believe that political representation should be all one sided, though, as a good republican, I should be pleased to see a few more of my party here, and I must take comfort in the belief that a good sound whipping is sometimes as salutary for a party as for a strong and headstrong boy.

I believe in the sane judgment of the American people. I do not believe that any triumph of principles with which I do not agree will work any lasting injury; for if right they should triumph, and if wrong the people have a speedy remedy and will not fail to apply it.

Gentlemen of the legislature, I will not dwell at length upon the general policy which I think should be pursued in your legislation. To do so at this time is the special prerogative of the governor-elect, whose success as an administrator so largely depends upon your coöperation in his recommendations; but I would be recreant to my constitutional duty and to my own convictions did I not ask your attention to some of the needs of the state as I have seen them in the past four years, and as I feel them now.

TENDENCY TOWARD EXCESSIVE APPROPRIATIONS.

The impulses of a legislature influenced as it always is by a combination of local interests and confidence in state credit are nearly always lavish, so much so that I have vetoed over a quarter of a million dollars appropriated. This lavishness of appropriations had as its excuse the over confidence of the legislators in the resources of our state, perhaps excusable in men so enthusiastic over its future, as nearly all were by reason of "boom times." I venture to repeat my former suggestion that "the present legislature should closely scrutinize all appropriation acts and defend the taxpayers from a repetition of such folly." Under existing laws it is impossible for the government to veto many items of appropriation which in his judgment might be reduced because of the custom of making appropriations in a lump sum. For instance, there was appropriated by the last legislature —

For maintenance Western Washington hospital for the insane....	\$160,000
For maintenance Eastern Washington hospital for the insane.....	100,000
For maintenance state penitentiary.....	135,000
For maintenance state university.....	90,000
	<hr/>
	\$485,000

Here are four items of appropriation aggregating nearly half a million dollars without a detail. If such items were detailed, doubtless the governor could find several items which might be omitted without seriously crippling the objects of maintenance. At present he cannot do this. Early in the session a law should be passed requiring each appropriation item to be detailed. The legislation I have recommended has been adopted in many states. You should see to it, also, that the state's money is not allowed to remain idle. Under the present system this is unavoidable. A simple remedy, as I have before advised, is to pass an act turning the idle money from all save the bond and interest fund into the general fund for the redemption of warrants in rotation.

STATE DEBT.

From a careful examination of the state auditor's records you will see that the increase of the state debt, if taxes had been paid, under the present administration from January 11, 1893, to November 1, 1896, has been \$174,748.37. The debt of the state when this administration began was \$1,204,092.58. On November 1, 1896, it was \$2,185,038.72. On November 1, 1892, the taxes delinquent and unpaid amounted to \$150,000; and on November 1, 1896, the unpaid taxes due the state amounted to \$955,905.50.

Under this administration \$251,000 deficiencies left over by the last administration have been paid, and nearly \$150,000 in interest on obligations then incurred, a total of \$400,000. Under this administration there are no deficiencies, the last legislature, on my recommendation, having passed a law rendering them impossible. You will see that it is absolutely imperative that the laws for the collection of taxes should be rigidly enforced no matter upon what basis of expense you may put the state government. It is my opinion that a large amount in interest might be saved to the state by pursuing the policy adopted by several of our counties, irrespective of their politics, in funding the debt by issuing long term, low interest bonds. At present our annual interest account on our outstanding warrants, at 8 per cent. per annum, is approximately \$150,000. Fund this debt, which will require a constitutional amendment, and then insist upon keeping the state upon a cash basis, and you will have easy burdens for the taxpayers, and the assurance of a prosperous and well regulated state.

FOREST PRESERVATION.

A measure which seems to me imperatively needed is the creation by law of an adequate forest preservation patrol, for the prevention of forest fires, the preservation of our forests, and the punishment of trespassers on public lands of the state. Now that the federal land grant is practically completed, its preservation is the next need in legislation. The destruction of valuable property annually by fire runs up into the hundreds of

thousands of dollars; to say nothing of the destruction by floods, so largely caused by denudation of forests. With the abolition of the state land commission, as at present constituted, recommended both by the board of state land commissioners and the commissioner of public lands, in which recommendation I concur, it might be well to create a new land and forest commission, to serve without pay, except per diem and expenses for stated meetings, who shall coöperate with the commissioner of public lands in formulating regulations for forest preservation.

Some such action as this has been recommended in nearly every western state, and the federal congress has created a forest commission of scientific experts, whose recommendations the state land and forest commission should be authorized to carry into effect. Such a commission as I suggest should have as members scientists and experts, chosen irrespective of politics.

INVESTMENT OF PERMANENT SCHOOL FUND.

On my recommendation, the last legislature authorized the investment of the permanent school fund in state warrants. The result has been gratifying. Under the former system, profitable security was almost impossible to obtain, and the uninvested fund gradually crept up to \$147,847.78 on November 1, 1894. On October 31, 1896, there had been invested in state warrants \$212,803.46, bearing eight per cent. interest per annum. No better security can be had by the state than the state's own paper. The system practically amounts to taking money out of one pocket, putting it into another, and paying the current school fund a high rate of interest for the privilege of doing so. Prior to the adoption of this system practically the best rate of interest on securities obtainable averaged five and one-half per cent. On the transactions of the past two years the current school fund has, therefore, profited, and will continue to profit until the warrants are redeemed, at the rate of $2\frac{1}{2}$ per cent. on \$212,803.46, or \$5,320 per annum; a showing which should be gratifying to every taxpayer and parent of a school child.

STATE INSTITUTIONS.

At the last session of the legislature I recommended a sweeping reform in the government of state institutions. I asked that "management of state institutions should be provided for in one general act, all commissions, directors, boards and administrative officers to be placed under the supervision of an examiner, who shall act under the instructions of the governor in scrutinizing contracts, investigating methods and discipline, and in checking up disbursements." This I considered then and consider now the most needed reform in actual state government. I hope that you can see your way to effect it.

The state institutions, I believe, will be found to have been as well and safely managed as any in the United States, and exceptionally well in most instances. For details I refer you to the reports. It is proper here to say that a judgment has been recovered against the bondsmen of the late warden of the penitentiary, J. H. Coblentz, for the full penal sum of his bond, \$10,000.

Without intending any invidious comparisons, but with a desire to call your attention to their changed status, I wish to say that under their present management the state university at Seattle and the agricultural college and school of science at Pullman, the culmination of our system of intellectual and industrial education, have taken giant strides forward and merit your special consideration.

REVENUE LAW REVISION.

Our revenue laws were modified in the direction of reform by the last legislature. Much remains to be done. Assessments should be based on actual worth in money, not on speculative or imaginary values. The cost of assessment, over one hundred thousand dollars, is altogether too high. A collateral inheritance tax should be adopted. The reduction of delinquency penalties has been a mistake. Where penalties are too low taxes will surely become delinquent and revenues will fail to meet estimated and necessary income.

RAILROAD LEGISLATION.

I have nothing to add to my former recommendation that minimum charges for transportation should be secured to shippers in a spirit of exact justice to railroads and their patrons. My views, which were set forth with urgency, did not meet with approval and the legislature failed to grant the relief so long desired in this state. I have only to say that a fair and honest regulation of railroad rates can work no real hardship to corporation interests. What the government at Washington has done, the government in Washington should do. The same principles of law and justice which apply to and govern the Interstate Commerce Commission should apply to and govern in this state.

STATE LANDS.

For a detailed statement of the condition of the state lands I refer you to the report of the commissioner of public lands and the board of state land commissioners, whose statements and suggestions I concur with and endorse. You will see from those reports that the important task of selection of granted lands is completed so far as the board is concerned, and will be complete when the reservations of unsurveyed townships already made by me in accordance with law are surveyed, and the reserved areas selected. The laying of the harbor lines, the platting and survey of the tide lands of the first class in front of cities have been completed, and the hearings of contests over preference rights to purchase have been disposed of so far as the state is concerned. This important and delicate work has been completed without legal objection by any parties. The facts that the commissioner of public lands was so largely occupied by the necessary duties of his office, and the careful exercise of executive and judicial discretion in the selection of lands and the hearing of tide land contests, formed the principal reason for the continuance of the board of state land commissioners. Their special work is now practically complete, therefore I concur in their, and the commissioner's suggestion, that there no longer remains any need for the board's continuance in its present form.

HARBOR AREA LEASES.

An uncertainty in the law, and a praiseworthy desire to obtain the most thorough knowledge of the practice of seaport cities throughout the world, has led the board of state land commissioners to defer the preparation of lease regulations until the legislature should meet. The policy of the constitution-makers in creating harbor line areas was that by the state's aid excessive tolls on commerce should be avoided. You should provide a nominal rate for leases, and at the same time restrict lessees' charges to an equally low rate.

STATE CAPITOL.

For a full account of the transactions of the state capitol commission, I refer you to the detailed report of that body, which will be laid before you. The substance of that report, and the facts are, that the state has the very best possible foundation for the capitol building, constructed under the most rigid and conscientious supervision, as you can all readily see, and at a large cash loss to the contractors, which is unusual in such cases. Further than this, it will be seen: That the work of the commission has been economical; that every effort has been bent toward securing complete construction; and that the effort was unsuccessful owing to the fact that it was found impossible to sell the capitol fund warrants by reason of the unsatisfactory condition of the law and that of the money market. The security itself—the capitol land grant—was and is considered adequate, and the lands already selected are ample in value in a normal market to cover the cost of construction. The capitol should be built. Under the decision of our supreme court, the liability for construction can not fall upon the state itself. The obligations incurred can only be a lien against the land grant. The grant was made by the federal government for the erection of a state capitol, and for no other purpose. It can not be alienated. Those persons who have thought that the capitol was to be built, or could be built, at the state's expense, have been mistaken in their views. The state is virtually a trustee for the federal government in the building of the capitol, and the state should act as soon as conditions will permit. If the federal government had granted money for the building of the capitol, there could have been no possible question as to the liability of the state. Because the federal government granted lands for this purpose instead of money there is not created thereby any state liability.

RELIEF FOR DEBTORS.

The tendency of state legislation in this country has been for the relief of debtors, the principal seeming to be that a conservation of existing forces is of sounder wisdom and greater benefit to the social organization than disintegration and reorganization. But the courts have invariably held to the inviolability of free contract and have tolerated no interference with its operation. As a measure of conservation, I have heretofore recommended that when property is sold under foreclosure or execution proceedings and is redeemed by the debtor or his agent he be allowed to recover the net income or profits of the property during the redemption

period from the purchaser or creditor. Such a measure I think is naked justice. A measure of this class of legislation was passed by the last legislature known as the "Deficiency Judgment Bill." I was obliged to veto it because it was clearly intended to be retroactive, and was therefore unconstitutional. Since my veto, the position I took has been sustained by the supreme court of the United States in the case of *Barnitz v. Beverly* (16 Sup. Ct. Rep. 1043), which went up from Kansas. I am of the opinion that the least harmful measure of the kind that can be enacted is one that shall clearly exclude existing contracts, and which shall allow the mortgagor to renew his present mortgage on its former conditions if he chooses. Otherwise such legislation would be destructive and not conservative. Legislation which will provide for future action in such cases may be wise or unwise, but it can work no prejudice in law to either creditor or debtor. Intended remedial legislation should be the work of the good physician, not of the surgeon. It will not cure a temporary paralysis of a man's right arm to cut off the arm.

NATIONAL GUARD.

An act of the last legislature has worked needed reform in our national guard. Under its operation we have had great reduction of and economy in expense. Seven companies of infantry and two troops of cavalry were disbanded, the remainder of the force has been put on a strictly military basis, the play soldier being eliminated. As it now stands the guard is highly creditable to the state in its soldierly character. For a detailed statement you are referred to the admirable report of the efficient adjutant general.

REDUCTION OF STATE EXPENSES.

An act compelling citizens to act as election officers without pay should be passed. This would save the taxpayers nearly \$40,000 on a single state election. No good citizen should expect pay for such services. The last legislature made a partial reclassification of superior court districts in accordance with my recommendation. The result has been satisfactory, but a further reduction would do no harm, provided that court commissioners for probate cases be appointed. Municipal courts can also be abolished with advantage. In criminal cases fees and mileage should be abolished and only actual expenses be allowed witnesses and jurors. The professional juror would soon disappear if this were done. In our civilized society men should act out their part of the social compact in good faith and without expectation of reward for duty done.

CONCLUSION.

Gentlemen of the Senate and House of Representatives, you will understand that I can have no personal motive when I express the hope that here you may lay aside faction and partisanship. You receive a party nomination, and it is right that you should apply your party principles to government; always remembering that the people, not your party, elect you, and that you represent not a party but all the people. In your deliberations no sectional or class interests should be allowed to mar your devotion to the welfare of the whole public, yet these interests you will

find it hardest to resist. I have been a resident among you for over twenty years. I hope to end my days here. I am proud of the people, proud of the state. I shall take as much pride as any among you if when you have concluded your labors the public verdict shall be "well done!" and you shall have strengthened our common aspiration, the welfare of the people of Washington.

J. H. MCGRAW.

On motion of Senator Deckabach, the joint body took a recess until 1:50 o'clock P. M.

The Senate retired to the Senate chamber.

On motion of Senator Deckabach, the Senate adjourned until 1:45 o'clock P. M.

AFTERNOON SESSION.

President Luce called the Senate to order at 1:45 o'clock P. M., pursuant to adjournment.

The secretary called the roll. All members were present.

The Senate retired to the House to meet in joint session at 1:45 o'clock P. M.

JOINT SESSION.

The speaker invited President Luce to preside over the joint session.

The roll was called, all members answering to their names.

Judge Scott, of the supreme court of Washington, administered the oath of office to Governor-elect John R. Rogers.

Governor Rogers delivered the following inaugural address:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, JANUARY 13, 1897.

Gentlemen of the Senate and House of Representatives of the State of Washington:

An eminent doctor of the law has told us with great force and clearness that all valid law is based on that instinctive apprehension of justice which finds universal lodgment in the heart of man. On this true foundation are based all right rules of human conduct. Relying upon this and upon my own clearly felt consciousness of right intent, I assume the weighty and most responsible duties imposed as the result of the recent election. I pledge you only this: A strict adherence to law and a firm determination to execute it without fear or favor.

THE STATE OF WASHINGTON.

We live in a favored region. Here stretch out before our eyes, in elsewhere unequalled profusion, the bounties of nature. Nowhere among the

sisterhood of states comprising the American Union are the natural resources and opportunities here afforded excelled or scarcely equaled. With an area largely in excess of that occupied by the six New England states, the State of Washington presents a wide diversity of opportunity unrivaled in the splendid character of the invitation offered to both capital and labor. It has the best and most productive grain fields in the world, and the largest body of valuable timber yet remaining in the limits of the United States. Its mountains of coal and iron are in close proximity to the deep waters of Puget Sound—the grandest harbor of the Union, with a shore line of 1,800 miles in extent, the future seat of empire on the Pacific coast, through whose ports have already come during the year just passed goods second in value only to those imported by the imperial city of New York. Add to all this a mild climate, where rivers are never frozen and ports never blockaded, a brave and self-reliant people, industrious and energetic, and it would appear that everything necessary to man's prosperity has been provided with a generous hand. And this is indeed the truth. Nature has here lavished her bounties, and nothing is lacking to complete a perfect picture of God's favor to man.

PRESENT DIFFICULTIES.

And yet, that all is not well with us we are agreed. No honest man can say that labor receives the full measure of just return for its performance. Times are hard, we say, and property has depreciated below the value it should justly hold. Men vainly seek employment, which, if found, is not adequately remunerative. Anxious wives and mothers look with fear to the daily diminishing family stores. Mortgages cover much of the real estate, and the hearts of strong, brave men sink within them as they view with moistened eyes the needs of helpless children for whom they are called to provide. No one doubts, no one denies, the existence of want and involuntary poverty among us, poverty, too, not the result of wastefulness or lack of industry, but forced by the constantly appreciating value of money consequent upon the demonetization of silver and the establishment of the gold standard. Nevertheless we are told that money thus cunningly enhanced and enlarged in purchasing power by legislative act is the only honest money! Having by law thus, to all intents and purposes, increased the size of the dollar, our monetary masters demand from the people the number of dollars denominated in the bond. Having in like manner doubled the ounces in the pound with which all the products of human exertion are measured, they call him dishonest who speaks of a return to ounces and pounds having a relation of sixteen to one. Like the drunken fish wife who reviled the eel that would not lie still while she skinned it, these hypocritical purveyors of so-called honest money cover with billingsgate those who point out the transparent trickery of their proceedings. But, blinded by personal and pecuniary interests, men who think themselves honest and who mean to be honest do not see the enormous injustice of the demand thus made upon industry for a steadily increasing share of the products of toil. These are the conditions we are required to face. Because of them

debts are increasing, interest is accumulating, taxes are unpaid, our homes are taken from us, our business is destroyed, and labor is deprived of its just remuneration.

APPEAL TO PATRIOTISM.

You are here to make and mend the laws. The people look to you for relief. They have elected you with the hope and the belief that you will be able to remove some of the difficulties under which they are laboring. This is well understood by all, and your presence here is an implied acceptance of a most important trust thus committed to your charge.

Section 6 of article 3 of our state constitution provides that the governor "shall communicate at every session by message to the legislature the condition of the affairs of the state and recommend such measures as he shall deem expedient for their action."

In pursuance of the duty thus imposed, I am led, first, earnestly to warn you against the dangers of factional controversy, for when once this has been aroused earnest endeavor and high patriotic resolve perish in the fierce heat engendered by the struggle for place. That you are thus to be tested is plain to all. In addition to the patent fact that differences of opinion exist among you is the further and, at this critical juncture, deplorable fact that an election is shortly to be held here which shall place in the Senate of the United States a citizen of this state for the ensuing six years. For this coveted position each faction has its candidate or candidates, for whose success some of the factionists may be ready to imperil the future existence of the political compact by means of which their election was secured, and which, if rightly guided and honestly managed, will finally and securely lodge in the hands of the great plain people of this state those rights, powers and privileges with which as American citizens they are inalienably endowed. If, by mischance, disruption and disintegration of hitherto allied forces shall at this time ensue and the ardent hope which has arisen in the hearts of earnest men that there had been formed an organization devoted solely to the advancement of pure politics and just rules of political action, only to be destroyed by the strife of politicians eager for preferment — if this shall be the result, I do not hesitate here and now to place the blame for the vile surrender of a great trust upon the heads of office seekers and their friends. If the hope of the people is thus to perish, greed for office will end it and the quarrels of factionists, each more eager for spoil than for the success of a great cause, will prove the men before me unfit for the grave and weighty responsibilities of free government. Men of Washington, I adjure you by the love you bear the sacred cause of human liberty let not these dismal forebodings become the true history of a wretched past. Repel them; repel any insinuation upon your honor as men and your fidelity to the cause of humanity. That temptation will arise, must indeed come, from the rivalries of candidates, is clear to all. We are here not as the agents of this or that man or this or that political faction, but rather as the representatives of a people united in their demand for relief and earnestly desirous of obtaining it in the only way

it can be obtained—by consistent, unselfish and harmonious political action. He who prevents this is a stumbling block in the pathway of reform.

At the battle of the pyramids in Egypt, Napoleon inspired his soldiers to deeds of heroic valor by shouting to them: "Soldiers! from yonder pyramids forty centuries look down upon you." So, to-day, seventy millions of people are looking anxiously to Washington with hope and fear,—with hope that we may prove equal to the emergency, and that, inspired by the high resolve which ever attends the patriot, we may spurn the promptings of faction and prove to the world that the men of our day are capable of as full and free consecration to a great cause as ever were men in any age of the world.

These are the conditions: The great plain people, the average business man, the farmer, the mechanic and the professional man, are to unite against the organized aggressions of the privileged few, or they are to become the helpless servants of a poorly concealed plutocracy. Men of varied interests and of no interest are to stand together, or, divided, they are to fall a prey to the oncoming forces of despotism. If they are to stand together they must agree, and they can only agree by means of mutual concessions and conciliation. The future is in your hands; you can make it what you will. But if you fail to agree, if by lack of agreement you render the success of the people's cause impossible. Do not forget that the men of this state will call you to account as unworthy and incapable servants and deprive you of future stewardship.

A vast opportunity is before us. We are to prove ourselves worthy the trust imposed upon us; we are to show our ability to construct new policies as well as destroy the old.

THE RULING POWER.

It should, and must be, remembered that law, to be respected and obeyed, must follow and not precede public opinion, in fact, just law is first the product of that instinctive apprehension of justice which finds universal lodgment in the heart of man. It must primarily exist in the heart; afterward, its being placed upon the statute is the mere formal ratification of what had previously existed. Lacking this essential requisite, enactments of the legislative authority will prove but temporary expedients. Public opinion in all civilized countries is the power behind the throne, greater than the throne itself. And public opinion is the product of that general consensus of prevailing thought which must come, and does come, not from the minds even of the educated and the well informed, but rather from the general average judgment of society embracing all classes and conditions of men; because of the fact that in this general average judgment all grades of intelligence and all kinds of people are included, the resulting product is a truer statement of matters affecting all the people than could be the case where only a few or a certain class of minds consulted. This is the true foundation of democratic government among men, and with this understanding, "The voice of the people is the voice of God." But no class, no part of society

however intelligent or influential, is qualified or able to speak with this authority. It must needs be a declaration of substantial unanimity coming from that very large majority which includes, practically, all the people. This is public opinion, the ruling power in modern life, against which nothing can continue long to stand. Supported by this, reform can go on. Deserted by this, it will wither and die. Whatever is by you proposed and here enacted, that is supported by this general average judgment of society, is called for and will endure. Whatever is not thus supported is uncalled for and will not be endured. Let us not deceive ourselves, the limit is set beyond which we cannot with safety go. If a reform or a measure is not thus supported by a nearly unanimous opinion, or at least by a very large majority, its time has not come and must be deferred until by agitation and education that unanimity of thought is produced which will then be able to carry it successfully forward. Revolutions have always had more to fear from reaction than from any and all things else. And this comes from the fact that adventurous spirits have in their zeal outstripped public opinion, going beyond the ground considered safe by the general average judgment of the society specially concerned. Advancing but a step beyond this, confidence is lost, fear is engendered, and retreat in ruinous disorder is the inevitable result.

In this state a most successful political revolution has just been effected. Let not the zealot vainly imagine that because of this revolution authority has been given for the enactment into law of all approved by him. This is only the thought of the enthusiast and the dreamer. It is true that the trumpet has sounded an advance, but that advance must be one which all are able to make, for all are concerned in the movement. The advance must not be greater than that approved by that public opinion which comes from the general average judgment of all the people of Washington. We go beyond this at the risk of losing all the advantages gained; of losing the confidence of those who, while with us in this fight, only half endorsed the plans of those among us most advanced, and the moral certainty of arousing fear in the minds of the timid and faint-hearted in our own ranks. Better a thousand times to stop short of an exercise of our whole power than to exceed it by so much as the fractional part of a grain.

THE REVENUE LAWS.

Taxation has ever been an essential, yet annoying, feature of government. In a measure, the collection of revenue involves an exercise of force repugnant to the independent spirit of American character. But the people quickly recognize and appreciate the benefits accruing from a cautious and just expenditure of these revenues—an expenditure for the education of our youth, for the care of the orphan and the infirm, for the improvement of the public highways, for the protection of health and the preservation of social order, and for the proper regulation and control of corporate bodies whose avarice leads them to disregard the interests of the individual and the state. Unequal taxation, however, is a source of constant turmoil, no matter how wisely or fairly such taxes may be expended. The revenue laws now in the statutes are grossly unequal in

their operation. They throw the burden of government almost entirely upon property holders of small means, while wealthy corporations escape with nominal contributions to the public treasury. The laxity of the revenue laws in other respects offers a premium for the non-payment of taxes by persons and institutions who profit more largely by speculating on the misfortunes of others, in these times of depression, than they would gain by prompt settlement. The treasurers' books in the larger counties show that as a rule the taxes which remain unpaid are due from corporations and men of wealth who are able to pay. Many of these delinquents are fighting the law in the courts, and others seek to evade penalty and interest through a special law remitting them.

How to prevent these abuses is a question of serious concern to all, and should receive your most thoughtful attention. Some of the older states in the Union have perceived the inequalities of the revenue system here employed. In the effort to devise a method more equitable to all alike, Pennsylvania, New Jersey and New York have recognized the principle that corporations enjoy particular advantages granted by the state, and in justice should make suitable return. Pennsylvania has advanced so far in this line that about two-thirds of its annual revenue is raised by taxing corporation stock, limited partnerships, foreign insurance companies, incomes, collateral inheritances and liquor licenses. In his report for the fiscal year ending November 30, 1894, the auditor of Pennsylvania gives this summary of the state's receipts:

1. State lands sold.....	\$2,105 99
2. Tax on corporation stock and partnerships.....	3,633,623 30
3. Tax on gross receipts of corporations and notaries public..	780,308 61
4. Tax on bank stock and examination of banks.....	535,142 23
5. Tax on net earnings and income of banks.....	78,086 43
6. Foreign insurance companies.....	495,758 50
7. Tax on gross premiums.....	55,515 86
8. Tax on municipal and corporation loans.....	1,381,551 66
9. Tax on personal property.....	2,386,750 99
10. Tax on wills.....	162,518 52
11. Tax on collateral inheritances.....	869,178 91
12. Tax on licenses such as mercantile, liquor, etc.....	1,366,137 26
13. Other incomes, variously distributed, all aggregating.....	12,873,736 82

New York, by recent enactment, has made it possible to defray its enormous expenses without resorting to direct taxation, except for a small portion of its revenues. As a first step, New York enacted a revenue law modeled after that of Pennsylvania. The two differ in detail, but are alike in principle. New Jersey has a modified form of the same system. Illinois and Ohio are fast approaching it.

In view of the examples set by these older and more experienced states, the commonwealth of Washington could not be accused of rash or prejudicial action by setting out to abandon the pernicious scheme of taxation that casts the heaviest burden upon those least able to bear it. It is not class legislation to require remuneration for special privilege. The people of Washington are progressive and liberal. They realize that capital and labor must coöperate in the development of our latent resources. But they object, as true Americans ought, to any system, whether of

money or taxation, which gives all the fruit to capital and leaves labor empty handed. Fair and just laws never repelled honest investment, but if they did, it were better, infinitely better, that the population of this state remain a half million free, self-governing, self-respecting Americans forever, than to bring five million immigrants among us only to place them under perpetual bondage to foreign money loaners by yielding concessions which would drain the state of its natural wealth to swell the coffers of the excessively rich, and condemn the wealth producers to a life of penury and want.

I earnestly recommend that the policy of our revenue laws be changed to correspond to the lines laid down by those old and most successfully managed states—Pennsylvania, New York and New Jersey. It is possible that the immediate enactment of laws necessary to carry this policy into effect may be barred by article VII of the state constitution. If so, an amendment would remove the obstacle. Such a reform need not be delayed longer than two years, if an amendment is submitted by the present legislature.

To a large extent the great properties of the state escape taxation, while the poor home owner is taxed to the limit of endurance. This should cease. Every family should be able to live in a free home, exempt from taxation to a stipulated extent and made free from fear of foreclosure and sale for debt. When once this has been arrived at, the cause of human liberty will have taken a distinct and positive forward step. Whenever our people have been sufficiently educated by hardship and privation to be ready for a really radical measure of reform, they will by constitutional amendment take that first and most indispensable step which shall finally secure to all man's natural and God-given right to a sufficient portion of the earth's surface for self support. When this first and fundamental right of man has been secured, he will be free, and never will be free until this has been gained. Whether men are yet ready for freedom, I do not know.

PUBLIC EDUCATION.

Our state constitution provides: "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex. The legislature shall provide for a general and uniform system of public schools." From this it is evident that a state tax for the support of schools for the benefit of all children in the state alike becomes a necessity. The provision is mandatory upon the legislature. Unless a state tax is levied how can there be a general and uniform system of public schools for the equal benefit of all? Two years ago the legislature, by an amendment to the laws, known at the time as "the bare-foot school boy law," established a system of state taxation for the equal benefit of all her children. By means of this, taxes not to exceed four mills on the dollar are levied and collected as other state taxes are collected, sufficient to produce a sum equal to \$6 annually for each child of school age. This is simply a state tax for the sup-

port of schools. The larger cities and wealthier communities have opposed the law and it is said will make efforts to repeal it. It is claimed that not enough is raised by the law to support the schools, and, doubtless, this is true. But the law does not prevent counties or school districts from raising more. As at first introduced, the bill provided for the raising by taxation of a sum equal to ten dollars for each child of school age, and if taxes were all collected this would afford a sum sufficient for the support of common schools. If, in addition to this, state taxes were levied as in Pennsylvania, our schools might be entirely supported by taxation of property which now largely escapes. Complaint has been made that in some of the counties certain small districts are unfairly treated. An amendment to the law providing for a special apportionment by the county superintendent of each county would very likely remedy this defect.

STATE BOARD OF HIGHER EDUCATION.

In pursuance of an intention to abolish certain boards of control and in this way to unify and systematize the work of our higher institutions of learning, it has been proposed that the state university, the agricultural college and the three normal schools be placed under the control of one central board instead of a separate board for each institution. The secretary of the state board of education might serve as a member of this board and perform the duties of traveling auditor, keeping the central board fully informed regarding the condition and standing of each institution. It is believed that an arrangement of this kind might be made which would save money to the state and secure greater efficiency. The incoming state superintendent of instruction has taken some steps toward formulating a plan of action in this line, to whom further inquiry may be directed.

FREE TEXT BOOKS.

As a matter of principle the state should supply to each scholar in the common schools text books as freely as it now provides school houses and school furniture. At present the state has a contract with a private corporation, which has secured the privilege of furnishing school books at a high cost to the people of the state. By a clause in the contract it is provided that whenever the state shall engage in the manufacture of books the contract is to become inoperative. I am of the opinion that the state can, at comparatively small outlay, establish an experimental plant and manufacture for her citizens good school books at from 25 to 33½ per cent. of the present cost. A first-class printing press and bindery can be bought and set up for about \$5,000. Electrotypes plates of a standard series of school books, with privilege to print from them, can, it is thought, be obtained for a reasonable sum. This plant might be established at the Walla Walla penitentiary. Only two expert workmen need be employed—a pressman and a bookbinder—and even their services might soon be dispensed with. Under instruction from these experts, the inmates of the prison, who, I am told, spend much idle time, will soon be able to make all the books needed for all the children

of the state. The books thus manufactured might be sold at cost to the different counties or school districts, or supplied free, as may be provided by statute. In a very short time, in this way, under the supervision of one man as superintendent, the state might be released from an arbitrary tax, amounting in the aggregate to a very large sum, and also make criminals instrumental in elevating and educating the youth of the state. Thus light might be brought out of darkness and good out of evil.

COERCION OF THE VOTER.

It need not be said that the purity of the ballot box is one of the essential requisites in any scheme of free government. Free men must have free votes, and if votes are not beyond the control of selfish outside influences, the voter becomes in time only a machine for recording the edicts of a power greater than that of his own will. Under these circumstances freedom is a sham and self-government an idle word. It is earnestly recommended that a statute be prepared and passed which will prevent the growing evil of coercion and intimidation of the voter.

FREE PASSES.

Section 39 of article 2 of the state constitution stipulates that: "It shall not be lawful for any person holding public office in this state to accept or use a pass, or to purchase transportation from any railroad or other corporation other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision."

Section 20 of article 12 of the constitution provides as follows: "No railroad or other transportation company shall grant free passes or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding any public office in this state. The legislature shall pass laws to carry this provision into effect."

The legislature has never passed the necessary laws to enforce the provisions of the constitution, and hence they have been practically inoperative. No time should be lost in providing by law that corporations issuing free passes and officials accepting them shall be properly punished.

RAILWAY RATES AND FARES.

The proper regulation and control of common carriers, including railroad and steamship lines, telegraph and telephone companies, is a problem difficult of solution. Government ownership is the only final remedy; but that is yet in the future. Freight rates and passenger fares in this state are exorbitant. They should be reduced. But whether public interest would best be subserved by placing the matter altogether in charge of a commission, or attending to it by direct legislative enactment, those most to be benefited by a reduction are not agreed. It seems to me that the best results could be obtained from a law establishing a maximum scale of rates and fares, and providing for the enforcement of the law through the agency of a commission, giving the commission power further

to lower the scale, as time and circumstances may justify. Inasmuch as the governor of the state is responsible for the execution of the laws, I believe that such commission should be appointed by him, any member of it to be removable at the will of the governor. Thus faithfulness to the people would be insured, or the governor justly held to account. The expenses of a transportation commission ought not to be burdensome, and would amount to an infinitesimal part of the direct benefit accruing to the patrons of common carriers within this state as a result of reduced rates and a better regulated service.

ABOLITION OF COMMISSIONS.

The office of arid land commissioner, I am inclined to think, should be abolished, and the duties devolving upon this official be performed by the elected land commissioner. It seems probable that the bill now before congress ceding to the several states outright and without qualification all arid lands within their borders will pass. This will remove any necessity of selecting such lands by the state.

It is the opinion of those best able to judge of these matters that the land commission provided for by a recent statute should likewise be abolished.

I am unable to discover that the dairy commissioner has been able to produce a pound of butter more than would have been the case if his office had not been created. Nor do I believe that he has increased the price or quality of the butter offered in our markets. The sale of oleo as butter is prohibited by penalty, and half the fine is by statute given to the informer. It is probable that this is sufficient to protect our producers, but if the continuation of the office is demanded, might it not be well also to provide for a hen commissioner who shall see that our grocers properly count the eggs as brought in for sale? Said hen commissioner might also, by way of diversion, undertake, at least occasionally, the instruction of our farmers in the highly important art of scientifically setting a hen. Seriously, it seems to me that the regulation of the sale of milk, butter and eggs is a matter entirely for municipal control.

Other and minor commissions might with propriety be abolished or consolidated.

BOARD OF PUBLIC INSTITUTIONS.

I am of opinion that the boards now controlling the penal, reformatory and eleemosynary institutions of the state, consisting of the state penitentiary, the reform school, the soldiers' home, the two insane asylums and the school for defective youth, might with propriety be abolished, and control of these institutions be vested in one board, to consist of the governor, the lieutenant governor, the secretary of state, the state auditor, and an official whose office is to be created, to be called the commissioner of public institutions, who shall do the work and perform the services usually devolving upon a traveling auditor. The saving in salaries per diem now paid six boards would be large. Goods could be bought at wholesale, and local and retail prices be escaped. More re-

sponsibility and greater system could be secured, and in the aggregate, a larger saving effected.

AFFAIRS OF THE PENITENTIARY.

Rumors of an exceedingly bad condition of affairs at the state penitentiary having been afloat for some time, a watch has been kept and some amateur detective work done by citizens of Walla Walla, aided by suggestions received from discharged convicts. Without disclosing the serious and even alarming nature of the revelations made, I request that at the earliest opportunity a legislative committee with full power to act be sent to Walla Walla; that an investigation be had before changes are made in the present management. If statements made by reliable persons are true, all the criminals are not on the inside.

MINE INSPECTION.

The great loss of life by coal mine explosions in this state within the last few years shows clearly the lack of proper mine inspection and ventilation. In the three mine explosions at Roslyn, Franklin and Blue Canyon, more than a hundred men lost their lives, many widows and some two hundred orphans were made. The mining law should be changed. It is grossly untrue to the interests of the miners. It should not be the policy of the state to hamper or impose onerous conditions upon the coal mining companies, but with the hope of being able by proper regulation to protect the lives of our hardy miners, something ought to be done. The legislature has appropriated at each session \$7,000 for coal mine inspection. I believe this sum to be practically wasted as the law now stands.

EXAMINATION OF STATE BANKS AND BUILDING AND LOAN ASSOCIATIONS.

Frequent and most greivous losses have fallen upon the people of this state by reason of the failure of institutions in which deposits of money have been made. For the future this may, to a great extent, be prevented by the appointment of a state bank examiner. In other states, notably in Kansas, this plan has proved most effective, and losses from this source have been reduced to a minimum. Such an official might be paid by a fee charged for each examination, or each institution might be required to pay a certain sum per annum. No expense to the people at large would be involved, and much good done.

THE FISHING INDUSTRY.

From the best sources of information at my command I am clearly of opinion that the law should, within a reasonable limit of time, prohibit utterly all fish traps, wheels and other stationery gear as a means of catching fish in the waters under the control of the State of Washington. As a means of revenue to the state, it is probable that an annual tax imposed upon each boat engaged in fishing should be collected. This would more than offset the amount now collected from traps.

The following extract from the message of Governor Sylvester Penoyer to the legislature of Oregon, for the year 1893, is here included and endorsed:

"Salmon fishing has for years been one of the most prominent industries of Oregon, and the legislature should provide by law against its complete destruction by the greed of those at present engaged in it. When the industry was first established, gill nets were alone employed, with meshes sufficiently large so that the smaller salmon were allowed to pass undisturbed. Within the last few years, however, traps and fish wheels have been brought into quite general use, and salmon of all sizes, and by the ton, have been caught by them. This has seriously interfered with gill-net fishing, which formerly gave employment to a large number of brave men, who plied this calling with their gill nets, manned at the peril of their lives, only to find themselves competing in market with the owners of fish traps and wheels, who in a favored locality, and without danger, caught hundreds of fish to the poor fisherman's one. Against the monopoly of fish traps and fish wheels, and the wholesale destruction of fish, and, as a consequence, the ultimate extinction of this great industry, the attention of the last three legislatures has been directed in vain.

"The protest is again most urgently renewed. To allow any owner of a favored locality the privilege that cannot be exercised by other citizens, of erecting fish traps or fish wheels, thereby securing salmon by the ton, while other citizens cannot, is a monopoly that should no longer be tolerated. We boast of our free government and of our equal laws, and yet we are permitting a monopoly that no monarchical government on the face of the earth allows. In the Magna Charta granted by King John, A. D. 1215, it is stipulated that 'all kydells (weirs) for the future shall be quite removed out of the Thames and the Medway, and throughout England.' This guarantee was renewed in the first, second and third charters of King Henry the Third and in that of King Edward the First, and was really a fragment of the old common law which prevented any person from appropriating to themselves a fishway on the rivers, which were deemed common property. Every public river Lord Coke declared to be the king's highway, which could not be privately occupied. Kydells were dams having a narrow cut in them and furnished with wheels or traps for catching fish. It will thus be seen that this monopoly, which in England was destroyed nearly seven hundred years ago, is flourishing defiantly in the latter part of the nineteenth century in this country, which boasts of its equal laws. Let all fish traps, fish wheels and seines be abolished, confine the fishing to gill nets alone, and then all citizens have an equal chance, and the wholesale destruction of fish and the speedy extinction of one of our chiefest industries can be avoided."

MISCELLANEOUS RECOMMENDATIONS.

It is hoped that any member becoming possessed of information which would implicate any person in the offense of corrupt solicitation of officials will immediately cause prosecution to be brought against such persons, to the end that bribery may become a thing unknown in Washington. It will afford me pleasure to aid, so far as I may be able, in placing behind prison bars any person within the limits of the state who shall be convicted of this crime. It is probable that if some person highly connected, and of considerable previous social standing, could be thus treated as an example, much good would thereby result.

The statute passed at the last session of the legislature, providing for and allowing actions to be brought against the state in the superior court of Thurston county, should at once be repealed. By means of this law, it will be possible for designing men to loot the state treasury or cumber the records with judgments against the state. The legislature may be relied on to prevent injustice to individuals as the result of peculiar or particular circumstances or conditions.

It is universally recognized as true that whenever large and great accumulations of property are harassed and rendered unproductive and unprofitable by the combined action of men of small means and of no social standing, so called, a state of anarchy and misrule obtains, against which all the powers of the state should be exerted for instant and expedi-

tious repression. Against this view no good citizen will raise his voice. Order is not only the first law of Heaven, but it should be, it must be, and it will be, the first law of the state. But there is another view of this matter, which, while equally true, is not equally obvious to the mass of society as now constituted. We become accustomed to injustice by daily association, and what at first would arouse the deepest indignation becomes in time an apparent necessity and finally seems to the average citizen a natural and unchangeable condition. It should be apparent, however, to the thoughtful and considerate man, that the converse of the proposition stated must also be true. If the property, the business and the occupations of the great mass of common and ordinary citizens of this country, possessed of little or no wealth and social standing, are not only rendered unprofitable and unremunerative, but are actually taken from them by the operation of causes set in motion by the few members of society possessed of wealth and high social position, who appear to be intent only upon pecuniary profit, regardless of loss and suffering imposed upon the many; then, in this event, it ought to be seen that anarchy is as truly fostered and produced as in the first and most obvious instance.

Although it is clearly evident to all thinking men that the people of this country are within the next few years to pass through a most critical period of national existence, I have a firm and abiding confidence in the wisdom, the justice and the ability of the great American people. They will safely surmount all opposition, for against the threatening difficulties which may seem to the timid to bar their advance, they will oppose the steady purpose of an honest intention and an earnest aspiration. The spirit of the fathers animates them; for them there is no such word as fail; they have hitched their wagon to a star, the star of hope; and the hope of humanity in them shall never perish.

The joint session was then dissolved.

Immediately following the dissolution of the joint session, President Luce called the Senate to order.

The secretary called the roll. All members being present.

President Luce made a brief address, thanking the senators for the courtesy shown him during his term as presiding officer of the Senate, and turned over the gavel to Thurston Daniels, the newly elected lieutenant governor, and *ex officio* president of the Senate.

Senator Easterday offered the following resolution:

Resolved, That the Hon. F. H. Luce, whose term of office as lieutenant governor, and *ex officio* president of this body, this day expired, is entitled to and has the thanks of this Senate for the uniformly fair and courteous manner in which he has discharged the duties of his office during the opening days of this session.

The resolution was unanimously adopted by a rising vote.

President Daniels addressed the Senate.

Senator Plummer again placed Charles S. Ryan in nomination for doorkeeper.

A motion to appoint a committee of five on other Senate employes was lost.

Mr. Ryan received 29 votes and was declared elected.

Those voting for Mr. Ryan were: Senators Baum, Cole, Crow, Davis, Deckabach, Dorr, Easterday, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Rinehart, Runner, Van Patten, Warburton, Washburn, and Wilson — 29.

Absent or not voting: Senators Field, Frink, Taylor, Wooding, and Yeend — 5.

Senator Rinehart nominated J. S. Burrows for day watchman.

Senator Crow nominated Isaac Carson.

On motion of Senator Taylor, the election of day watchman was postponed until Saturday, January 16, 1897.

Senator Crow moved that a committee of two be appointed to confer with a like committee from the House to formulate permanent rules and joint rules.

The motion was carried.

The following resolution was introduced by Senator Plummer:

Resolved, That the sergeant-at-arms be and he is hereby instructed to procure from the state librarian a copy of the Senate journals of the last session for use of the president and each member of the Senate.

The resolution was unanimously adopted.

The following resolution was introduced by Senator Frink:

Resolved, That the sergeant-at-arms be instructed to keep the doors of the Senate chamber closed and to so adjust the windows as to give proper ventilation.

The resolution was unanimously adopted.

Senator Easterday moved that the rules of the fourth Senate be adopted as the permanent rules of this Senate.

Senator Taylor offered an amendment to rule 6.

On motion of Senator Wilson, the motion of Senator Easterday was laid on the table.

The journal of Monday was read and approved.

On motion, the reading of Tuesday's journal was dispensed with and the journal approved.

Senator McReavy moved that the doorkeeper be sworn in.

The motion carried.

Senator Crow, chairman of the committee on salaries, presented the following majority report:

OLYMPIA, WASH., January 12, 8 P. M.

At a meeting of the special committee on salaries of clerks and other employes of Senate the majority report as follows. The salaries of the officers shall be as follows:

Secretary.....	\$5 00
Assistant secretary.....	5 00
Sergeant-at-arms.....	5 00
Assistant sergeant-at-arms.....	4 00
Minute clerk.....	4 00
Bill clerk.....	3 50
Journal clerk.....	3 50
Assistant journal clerk.....	3 50
Enrolling clerk.....	3 50
Assistant enrolling clerk.....	3 50
Assistant enrolling clerk.....	3 50
Postmaster and messenger.....	3 50
Page.....	1 50
Page.....	1 50
Janitor.....	3 50
Watchman	3 50
Engrossing clerk.....	3 50
Assistant engrossing clerk.....	3 50
Stenographer.....	3 50
Docket clerk.....	3 50
Judiciary clerk.....	4 00
All other employes of Senate.....	3 50

Signed by majority.

L. C. CROW, Chairman.
C. W. DORR,
E. C. KEITH,
F. M. BAUM,
Committee.

Senator Wilson, of the same committee, presented the following minority report:

COMMITTEE ON SALARIES OF EMPLOYES.

MINORITY BEPORT.

MR. PRESIDENT:

As a member of the committee appointed to examine into and report as to the salaries of Senate employes, and being unable to obtain the concurrence of the other members of the committee in my conclusions, I have now the honor to present a minority report as follows:

Having given the subject matter due attention and consideration, I find as follows:

1. The salaries heretofore paid were generally too high, and this is either conceded or urged by a large majority of this body.
2. The fusion party in the recent compaign submitted to the people of the state that this party, if placed in power, would make a substantial reduction in these salaries. The vote at the recent election indicated an

acceptance of this proposition, and the majority of this Senate is now called upon to make good the pledges mentioned.

8. It is generally conceded that the salaries heretofore recommended by the majority of this Senate, and now concurred in by a majority of this committee, are higher than the persons holding the respective positions could earn or obtain for the same services when rendered for private persons.

The justification offered for this is not always the same, but is generally about as follows:

In political campaigns, many of the legislative candidates feel called upon in the interests of party success to promise assistance to various individuals to secure high salaried clerkships in the legislature. This has resulted in a custom, which is now well established, of a gathering at the capital from every section of the state at the opening of the session of persons who have been led to think they may obtain positions as clerks or assistants in the legislature. This involves in many cases the incurring of large and unusual expense by way of preparation, and for traveling expenses. And it is said that at this time there are a large number of persons with us in just this situation, and that to give the few whom we employ a fair compensation, exclusive of the expenses incurred by them, it is necessary that we pay them considerably more than the real value of their services.

It is generally conceded that the present system is wrong, and should be corrected.

I now submit that this is the time of all times when the needed reform should be instituted. The political party just come into power is emphatically pledged to correct the evil complained of. The way to reform is to reform.

To carry out the conclusions I have above set forth, I now submit the following schedule of salaries:

Secretary.....	\$5 00
Sergeant-at-arms.....	4 00
Assistant secretary, minute clerk, docket clerk, journal clerk, enrolling clerk, bill clerk, and all committee clerks.....	3 00
Assistant enrolling clerk, assistant engrossing clerk, assistant journal clerk, and all other clerks, assistant sergeant-at-arms, postmaster, janitor, and watchman.....	2 50

Respectfully submitted.

R. C. WILSON.

Senator Keith moved to adopt the majority report.

Senator Lewis moved to amend the report by fixing the salary of the bill clerk at \$4 per day and that of the minute clerk at \$3.50 per day.

Senator Houghton moved to amend the amendment by fixing the salaries of both bill clerk and minute clerk at \$4 per day.

The amendment to the amendment was lost.

The amendment was lost.

The motion to adopt the majority report was carried by the following vote:

Those voting in the affirmative were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 24.

Those voting in the negative were: Senators Deckebach, Lewis, Washburn, and Wilson — 4.

Absent or not voting: Senators Hall, Lesh, Pusey, Taylor, Warburton, and Wooding — 6.

The following resolution was introduced by Senator Taylor:

Resolved, That all clerks be required to report daily to the secretary of the Senate and at such time as he may require.

On motion of Senator Deckebach, the Senate adjourned until 2 o'clock P. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FOURTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 14, 1897. }
2 o'clock P. M.

The Senate was called to order at 2 o'clock P. M.

The secretary called the roll, showing all members present except Senators Frink and Hall.

At the request of the president, Rev. John R. Thompson offered prayer.

The journal of yesterday's proceedings was read and approved.

Senator Cole was excused from further attendance during the day.

On motion of Senator Deckebach, as amended by Senator Megler, the Senate went into the committee of the whole to consider House bill No. 23, by Representative Wilkeson, An act making an appropriation to continue the operation of the state salmon hatcheries.

The bill was considered in the committee, Senator Plummer in the chair, and reported back to the Senate without amendment.

The bill was read the third time by sections, and, on motion of Senator Megler, the rules were suspended, the bill was considered engrossed and placed on its final passage.

It was then passed by the following vote:

Those voting in the affirmative were: Senators Baum, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 31.

Absent or not voting: Senators Cole, Frink, and Taylor — 3.

The secretary read the resolution of Senator Taylor, introduced yesterday, relative to requiring the Senate clerks to report daily to the secretary at such times as he may require, and making them subject to his order.

The following resolution was received from the board of trade of Dallas, Texas, which, on motion of Senator Easterday, was referred to the Committee on Memorials.

To the President of the Senate, Olympia, Oregon [Washington]:

DALLAS, TEXAS, January 7, 1897.

DEAR SIR—This board of trade has been impressed with the vital importance of the passage of a bankrupt bill and has been in actual communication with the like commercial bodies over the country with the view of speeding the passage of some just and equitable bill. We find a general consensus of opinion that such an act is a necessity, and many commercial bodies have memorialized congress praying its passage, forwarding petitions similar substantially to the one enclosed from the Milwaukee chamber of commerce.

The deplorable condition of financial slavery resting upon thousands of our fellow men, the loss to the state from a paralysis of their energies, the cruelty of forever keeping such men in bondage forcibly suggests to all men having in their hearts, charity and kindness for these long suffering men and their families, and that relief should be granted.

In view of this condition of affairs and of the incomparable beneficence of a bankrupt bill we venture to invoke your aid, and that the body over which you preside, in speeding the passage of such a bill through the Senate of the United States. The bill, as you know, has passed the House and is now on the Senate's calendar awaiting its action, as there remains only some forty days of the present session we beg to suggest that the passage by your body of a joint resolution invoking immediate action on the part of the United States Senate would be most desirable. Such a resolution will be promptly introduced and passed by our legislature which convenes next Tuesday.

Very respectfully, LEO WOLFSON, Secretary.

CHAMBER OF COMMERCE, MILWAUKEE, December 28, 1896.

To the Honorable the Senate of the United States:

The following resolutions were unanimously adopted at a meeting of the board of directors of the chamber of commerce of the city of Milwaukee held on this date:

Resolved, That the chamber of commerce of the city of Milwaukee, through its board of directors, earnestly appeals to the Senate of the United States to promptly pass the Torrey bankruptcy bill which has already passed the House of Representatives, and only awaits the favorable action of the Senate to become a law; thus at once affording a measure of relief and protection of which the nation at the present time stands greatly in need—relief in “releasing from financial servitude thousands of able, energetic and experienced men, whose restored energies could again be devoted to the upbuilding of the state,” and protection in removing one of the most fruitful causes of financial distrust and panics in the temptation which the absence of an equitable bankrupt law affords to any creditor, in case of financial embarrassment of his debtor to seek his own advantage to the detriment of other creditors and the ruin of the debtor. “Neither common sense or justice demands the continued and helpless servitude of such a great number of our fellow men” nor the continuance of this needless hindrance to the returning prosperity of our country. Failure to pass the bill by the Senate at this session will probably involve indefinitely delay in the passage of another bill, and such delay “simply means denial of relief for men now past the prime of life, who have but few years remaining to recuperate their fortunes.

Resolved, That a copy of this action be transmitted to the President of the United States Senate and that the senators from Wisconsin be respectfully requested to use their best efforts to secure the passage of that beneficent measure, the Torrey bankruptcy bill, at the present session.

Respectfully presented in behalf of the board of the chamber of commerce of the city of Milwaukee.

(Signed) CASSIUS N. PAINE, President.
W. J. LANGSON, Secretary.

The secretary read the following communication from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January, 1897.

The Honorable the Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments made and not heretofore communicated to you for confirmation:

STATE PENITENTIARY.

George T. Berry, of Walla Walla county, re-appointed April 7, 1896, for the term ending February 18, 1902.

REGENTS AGRICULTURAL COLLEGE AND SCHOOL OF SCIENCE.

J. W. Arrasmith, of Whitman county, appointed May 22, 1895, for the term ending March 9, 1899, vice Charles R. Conner, resigned.

TRUSTEE WESTERN WASHINGTON HOSPITAL FOR THE INSANE.

Francis A. White, of Snohomish county, appointed June 15, 1896, for the term ending February 1, 1901, vice John E. McManus, resigned.

REGENTS OF THE UNIVERSITY OF WASHINGTON.

George Hyde Preston, of King county, re-appointed July 19, 1895, for the term ending the 2d Monday in March, 1902.

R. E. M. Strickland, of Spokane county, re-appointed July 19, 1895, for the term ending the 2d Monday in March, 1902.

Charles A. Riddle, of King county, appointed May 9, 1896, until the close of the next ensuing legislature, vice Wm. D. Wood, resigned.

TRUSTEES OF THE WASHINGTON SOLDIERS' HOME.

E. S. Callendar, of Pierce county, appointed September 4, 1895, for the term ending June 26, 1900, vice Albert S. Cole, term expired.

George H. Boardman, of Pierce county, re-appointed July 1, 1896, for the term ending June 26, 1901.

STATE FAIR COMMISSION.

John R. Reavis, of Spokane county, re-appointed April 8, 1895, for the term ending March 22, 1899.

W. H. Hare, of Yakima county, appointed February 27, 1896, for the term ending March 22, 1899, vice A. B. Weed, resigned.

Samuel J. Cameron, of Yakima county, appointed February 27, 1896, for the term ending March 22, 1897, vice Fred Parker, resigned.

Frank A. Williams, of Kittitas county, appointed February 27, 1896, for the term ending March 22, 1897, vice A. W. Engle, resigned.

TRUSTEES OF THE WASHINGTON STATE REFORM SCHOOL.

John Dobson, of Chehalis county, re-appointed May 7, 1896, for the term ending April 29, 1902.

TRUSTEES STATE NORMAL SCHOOL AT ELLENSBURG.

John C. Goodwin, of Kittitas county, appointed July 6, 1896, for term ending June 26, 1902, vice T. J. Newland, term expired.

BOARD OF HEALTH COLLECTION DISTRICT OF PUGET SOUND.

F. W. Hastings, of Jefferson county, appointed March 18, 1896, for the term ending March 7, 1898, vice L. B. Hasting's term expired.

Nathaniel C. Strong, of Jefferson county, appointed March 18, 1896, for the term ending March 7, 1898, vice Frank A. Bartlett, term expired.

Jacob Behrman, of Jefferson county, re-appointed March 18, 1896, for the term ending March 7, 1898. (These appointments made under section 2186, Code 1881.)

STATE BOARD OF HEALTH AND BUREAU OF VITAL STATISTICS.

John T Lee, of Pierce county, re-appointed January 7, 1896, for the term ending September 30, 1900.

TRUSTEES STATE NORMAL SCHOOL AT CHENEY.

Elmer D. Olmstead, of Spokane county, appointed August 4, 1896, for the term ending July 29, 1902, vice Louis Walters, term expired.

BOARD OF STATE LAND COMMISSIONERS.

Erastus Brainerd, of King county, appointed March 27, 1895, for the term ending March 26, 1897.

S. J. Chadwick, of Whitman county, appointed March 27, 1895, for the term ending March 26, 1897.

TRUSTEES FOR STATE NORMAL SCHOOL AT WHATCOM.

Eli Wilkin, of Whatcom county, appointed June 13, 1895, for the term ending June 12, 1897.

R. C. Higginson, of Whatcom county, appointed June 13, 1895, for the term ending June 12, 1899.

J. J. Edeus, of Whatcom county, appointed June 13, 1895, for term ending June 12, 1901. (Original appointments under act approved March 7, 1896.)

STATE LIBRARIAN.

George A. Kennedy, of Adams county, appointed May 21, 1896, for the term ending March 8, 1897, vice Frank T. Gilbert, deceased.

NATIONAL GUARD OF WASHINGTON.

F. A. Boutelle, of Clarke county, appointed adjutant general, June 14, 1895, for the term ending June 13, 1899.

PILOT COMMISSIONERS STRAITS OF FUCA AND PUGET SOUND.

F. A. Bartlett, of Jefferson county, appointed April 23, 1896, vice John Barneson, resigned. Term during governor's pleasure.

STATE GEOLOGIST.

The mining bureau on February 7, 1895, appointed Harry Landes of the faculty of the university of Washington, for the term ending January 14, 1897, vice George A. Bethune, term expired. Appointment made with understanding that no salary should be paid.

STATE BOARD OF HEALTH.

R. M. Eames, of King county, appointed January 2, 1897, for the term ending December 30, 1901, vice Jas. B. Eagleson, term expired.

Very respectfully, J. H. MCGRAW,
Governor of Washington.

On motion of Senator Range, the communication was laid on the table, subject to the call of the Senate.

The following communication from the governor was received, and on motion of Senator Easterday, the secretary read only the names of the persons who received pardons, commutations and remission of fines:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT, OLYMPIA, January, 1897.

The Honorable the Senate of the State of Washington:

GENTLEMEN—In accordance with section 11, article 3, of the constitution, I hereby transmit a list of pardons, commutations and remissions of fines granted by me, and not heretofore reported.

Very respectfully, J. H. MCGRAW,
Governor of Washington.

PARDONS GRANTED.

A. E. DUNCAN, sentenced from Spokane county, March 19, 1893, to three years for stealing one head of neat cattle; Pardon granted February 13, 1895, upon the recommendation of the prosecuting witness, the board of county commissioners, several jurors, prosecuting attorney and several hundred citizens of Spokane. This was Duncan's first offense; his aged mother needed his help. Duncan was a youth only nineteen years of age.

FRED MATHIES, sentenced March 7, 1895, to one year imprisonment from King county, for assault with intent to commit robbery. Pardon granted March 8, 1895, upon recommendation of the trial judge, prosecuting attorney, twelve jurors in case, several county and city officials and a large number of citizens. Mathies was a very young man, and main support of his family. He came to Seattle without money in search of employment; failing in this he became reduced to utter destitution and while in this condition committed the crime for which he was convicted.

W. H. H. GRANT, sentenced December 12, 1894, by a justice of the peace from Clallam county to pay a fine of \$50 and costs taxed at \$86 for illegal voting. Remission of unsatisfied portion of fine and costs granted March 19, 1895, upon recommendation of prosecuting attorney, prosecuting witness, six jurors, and several officials and citizens of said county. It appears that Grant, through ignorance of legal requirements, voted at a road election, for which he was in all respects qualified save that he had not resided in the particular road district the required number of days. He was in an impoverished condition, with dependent family who would become county charges. Previously had borne excellent reputation and was an ex-Union soldier.

JOSEPH DOYLE, of Mason county, made application for remission portion of judgment rendered in superior court of Mason county upon appearance bond of one Richard Walsh in which Joe Caldwell and said Doyle were sureties. Said bond was forfeited by non-appearance of defendant Walsh, who escaped through no connivance, knowledge or consent of his bondsmen. Doyle, a man of limited means, spent time and money in an effort to bring Walsh to justice but without success, and thereafter paid \$150 to the county, being one-half of said bond. His co-surety is believed to be dead, and no property or funds are available to pay his portion of the bond. Remission granted April 29, 1895, on recommendation of the trial judge, and board of county commissioners.

MEE CHIN, a Chinaman, was on February 12, 1895, fined \$100 and sentenced to thirty days in jail for keeping opium joint in Spokane county. Trial judge, prosecuting attorney and special agent of the treasury department recommended pardon and remission of unsatisfied portion of fine upon payment of costs of \$45. Granted May 4, 1895.

LOUIS SCHIMINISKI, having been found guilty of the crime of assault, was sentenced January 24, 1895, by the judge of the superior court of Lewis county, to imprisonment in the county jail for the term of six months and fined in the sum of three hundred dollars. Pardon granted March 19, 1895. The judge who sentenced Schiminiski, upon the petition of a very large number of citizens, on the 19th day of March, 1895, remitted the fine imposed by him. The sheriff and other county officers and citizens urged that Schiminiski be pardoned, upon the ground that his further incarceration would result in his family becoming dependent upon charity for sustenance. The crime consisted of a simple assault, committed under the influence of intoxicants.

RICHARD WESLEY was on July 24, 1889, sentenced by the judge of the superior court of Pierce county, to eleven years in the state penitentiary for the crime of robbery. Pardon granted on April 16, 1895. During his imprisonment he was an exemplary prisoner, and his name never appeared on the punishment record. The warden certifies that he has been employed in positions of trust and has faithfully and conscientiously carried out the duties assigned to him, and observed the rules of the prison in every respect. His crime consisted in obtaining sixty dollars by means of a card trick. Several reputable citizens and officials recommended pardon, believing that the sentence imposed was excessive; and that by reason of his youth, and previous good character further imprisonment would not subserve the ends of justice.

M. GOODFRIEND was on the 23d day of June, 1894, sentenced by the judge of the superior court of King county for the term of seven years, for the crime of grand larceny. Pardon granted April 19, 1895, upon the recommendation of several hundred reputable citizens of Seattle, and other cities, including the trial prosecuting attorney, sheriff and other officials of King county, who allege in their petition that they believe the conviction of Goodfriend was not warranted by the evidence; that Goodfriend was not a party to the stealing for which he was convicted; that Goodfriend had hitherto borne a good reputation; that he has a poverty-stricken wife and four children dependent upon him for support.

M. GOLDEN was convicted and sentenced at the same time and place for the same crime as M. Goodfriend, *supra*. Pardon granted May 8, 1895. The petition for pardon is signed by the trial judge, prosecuting attorney, sheriff, chairman of board of county commissioners and other officials of King county, and reputable citizens of that county; and states that Golden had at all times previous to his conviction borne a good reputation, and that he had never previously been charged with crime; that he was but twenty-two years of age, and since the age of thirteen had been the sole support of an aged mother; that by reason of his incarceration his mother has been deprived of her sole means of support, and became a pauper upon the charge of King county. The prosecuting attorney in recommending pardon stated that "the evidence tending to convict Golden with the commission of the alleged crime is exceedingly meager as is apparent from an examination of the record." At a time when a number of prisoners broke out of the King county jail, Golden refused to escape; and gave to the sheriff information which was valuable in capturing the fugitives. The chief of police in Seattle, who had personal knowledge of the facts, also recommends pardon.

MRS. TAY YUEN, a Chinawoman, who was received at the penitentiary on the 16th day of November, 1894, under sentence of one year for the crime of grand larceny, committed in Clarke county, was pardoned on the 8th day of May, 1895. The physician to the penitentiary made a statement, in part as follows: "This woman is pregnant, and has reached about the eighth month. She has but a short time to serve, and if she could be discharged or pardoned, I believe it would be the proper thing to do. We are poorly situated to care for a lying-in woman."

GEORGE SUFFERIN, having been found guilty of the crime of burglary, was on the 18th day of May, 1891, sentenced by the judge of the superior court of Jefferson county, to imprisonment for the term of ten years. Pardon granted May 14, 1895, upon the recommendation of the physician and other officials of the penitentiary. Sufferin had chronic multiple sarcoma and passing of blood, and had been confined to the prison hospital for many months. In the opinion of the penitentiary physician Sufferin could live but a few months. He died within six months after he was pardoned.

U. A. GILE, was on March 2, 1893, sentenced by the judge of the superior court of Lewis county, to imprisonment in the penitentiary for the term of four years, having been found guilty of the crime of manslaughter. Pardon granted May 17, 1895, upon the recommendation of the prosecuting attorney and his assistants at the trial, the county officers and several hundred citizens of Lewis county. Gile was informed against jointly with James D. Minkler and Catherine McCormick, charged with the crime of manslaughter in having caused the death of one Alfred Wright, by means of an operation. Gile was tried first and separately. The prosecuting attorney in recommending a pardon made the following written statement: "At the time of the prosecution, I was convinced that the other two parties, Dr. James D. Minkler and Catherine McCormick, had entered into a conspiracy to obtain through any means, fair or foul, the property of one Alfred Wright, and that the acts for which Dr. Gile was convicted and the other parties tried were the result of the conspiracy. I never did believe and do not now that Dr. Gile was concerned in any such conspiracy; but he was a young surgeon and was called in by other parties. The parties demanded separate trials. Dr. Gile was convicted; Dr. Minkler was acquitted by the jury and Mrs. McCormick was discharged on the recommendation of the prosecuting attorney. I think the opinion that I entertain as above stated is concurred in by the people of the entire community almost unanimously."

One of the associate counsel for the prosecution, in his communication recommending a pardon, said in part: "This case is a peculiar one, unlike any that has ever fallen under my observation, and dissimilar to any case reported within the scope of our text books or decisions. Three persons, to wit: J. D. Minkler, Dr. U. A. Gile and Mrs. McCormick, were charged jointly with the murder of Alfred Wright, of Centralia. The state in the three trials that were had in the superior court, in which I was interested, based its prosecution upon criminal malpractice of the physicians, J. D. Minkler and U. A. Gile, and assisted by Mrs. McCormick. After the operation had been performed and after the death of Mr. Wright, it appeared that a will had been made by Mr. Wright, in which Mrs. McCormick was the sole beneficiary, and Dr. Minkler was to be the executor. When this fact became known, the citizens of Centralia grew suspicious that foul play had been

used, and instituted proceedings looking to a thorough investigation. The public mind was greatly inflamed, and the witnesses produced and who were examined on behalf of the state, on the trial in which Dr. Gile was convicted, were evidently deeply impressed with the wild and exaggerated rumors that had been put in circulation and were affecting the community at and just prior to the trial and that were unfavorable to the defendants. It was while this excitement was at its highest that Dr. Gile was tried and convicted. After cooling time and after the community had so changed that it could look impartially at the transaction, grave doubts arose as to the criminal intent of the parties, and as to whether or not they should be convicted, and the result is that Mrs. McCormick was discharged without trial; Dr. Minkler, who sought and obtained a continuance, was tried by a jury of the county, the same witnesses produced as in the case of Dr. Gile, yet Dr. Minkler was acquitted. Nowhere in the whole case was there a line or syllable of evidence showing Dr. Gile to have been in any wise interested from any pecuniary motive in the operation, or in the death of Mr. Wright. Dr. Gile evinced a phenomenal accuracy in the knowledge of surgery, and whether his operation was correct or incorrect the best medical evidence that we could obtain upon the trial was at a great variance, while it appeared to me that those who were not affected by local prejudice almost without exception approved and justified the operation."

Eight jurors recommend pardon. Others were inaccessible.

JOHN BRYAN, having been found guilty of the crime of robbery, was on the 7th day of February, 1890, sentenced by the judge of the superior court of King county to imprisonment for ten years. Pardon granted May 17, 1895, upon the recommendation of the trial judge, prosecuting attorney and several of the jurors. Bryan was convicted of having robbed a man named Cotton of some \$40.00. The prosecuting attorney in recommending pardon said in part:

"Bryan and a man named Miller were indicted for the crime of robbery alleged to have been committed October 23, 1889, in Seattle. I prosecuted the men and secured a conviction. Judge Lichtenberg was presiding judge, and appointed some man, whose name I do not now remember, to defend. The defense was very lamely conducted. The testimony of the state consisted mainly of the prosecuting witness Cotton, an old farmer who had come in from Slaughter, a stranger in town, and who had 'fallen among thieves' and the vicious characters in Whitechapel, and had been drinking for two or three hours. Somewhere in Whitechapel, during the course of the evening he lost or was robbed of \$40.00, and identified Miller and Bryan as the parties. I remember that the testimony of Cotton was unsupported by any other witness. The defendants both testified in their own behalf, and both denied the robbery, but admitted seeing Cotton in Whitechapel, and admitted having a speaking acquaintance that evening with him, and also drinking with him."

Two convicts, Thomas Walker and John Kelly, have filed an affidavit in which they state that they committed the robbery for which Bryan and Miller were convicted. Conduct of Bryan during imprisonment was good.

JOHN MILLER, co-defendant with John Bryan, and who was sentenced at the same time for the same term, was pardoned on the 12th day of October, 1895, for the foregoing reasons.

HARRY IRWIN, was tried in the superior court of Pierce county and convicted of the crime of robbery and sentenced to a term of imprisonment of eleven years on March 23, 1891. Pardon granted May 17, 1895, upon the recommendation of the trial judge, prosecuting attorney, and a large number of reputable citizens of Pierce county. The crime for which Irwin was convicted was the robbery of one Bailey. The testimony in the case consisted only of Bailey and a man who had previously been convicted of committing the robbery. The prosecuting witness, upon the stand, could not positively identify Irwin as the person who assisted in robbing him. Irwin had been in Tacoma but a few days prior to the robbery; had always borne a good reputation prior thereto; was of a good family and well connected in Portland, Oregon, as is shown by letters from leading citizens and officials of that state. The judge in recommending pardon urged that one year's imprisonment would be sufficient; but he was not pardoned until he had served more than four years. Conduct during imprisonment was uniformly good, as appears by the warden's certificate. Upon his release Irwin returned to his home in Oregon.

ELMER HASTINGS and **JAMES L. BERRIDGE**, having pled guilty of the crime of stealing cattle, were on the 29th day of December, 1892, sentenced by the judge of the superior court of Spokane county, to imprisonment in the penitentiary for the term of four years. Pardon was granted May 17, 1895, upon the recommendation of the trial judge, prosecuting attorney, prosecuting witness and several officials and many citizens of Spokane county. The prosecuting witness, county commissioner and deputy sheriff of Spokane county, in a communication recommending executive clemency, among other things say: "During the month of August, 1892, said James Berridge and Elmer Hastings, who then were boys under the age of twenty-one, living at the town of Mead in Spokane county, were induced to go to the pastures of F. E. Fender and W. Ziegler in said Spokane county, and drive to the slaughter house of one John Mairhoffer, a butcher, fourteen head of cattle. This was done in the day time without any apparent attempt at concealment, and the cattle delivered to said Mairhoffer at his slaughter house; it is believed that the cattle were butchered at once, as the sheriff and his deputies could find no further trace of them. Said Mairhoffer, who has left for parts unknown, was a man of mature years, and was under the surveillance of the sheriff for some time under suspicion of buying stolen cattle. The said boys were arrested shortly after the commission of the act, and confessed the facts substantially as related above; upon arraignment they both entered the plea of guilty. Both boys were raised at or near Mead, and formerly bore good reputations and this is believed to be their first offense. We believe the boys by reason of their youth and inexperience, were made the tools and dupes of other persons, whose mature minds and experience enabled them to escape the punishment imposed upon these boys."

GEORGE E. BAILEY, was on the 29th day of January, 1895, sentenced by the judge of the municipal court of the city of Seattle, to imprisonment in the King county jail for the term of six months for the crime of open lewdness. Pardon granted on the 21st day of May, 1895, upon the recommendation of the trial judge, the board of county commissioners of King county and a large number of respectable citizens. Bailey had a family, consisting of a wife and four small children, dependent solely upon him for support, and who during his confinement were county charges. He had previously borne a good reputation and his conduct during incarceration was good.

FANNIE WILLIAMS was convicted of the crime of petit larceny in the municipal court of the city of Seattle, and sentenced on April 22, 1895, to imprisonment in the King county jail for the term of ninety days. The value of the goods stolen, a lady's cape, was proven to be fifteen dollars. Pardon granted May 26, 1895, upon the recommendation of the trial judge and the certificate of two reputable physicians of Seattle that this woman was pregnant and that longer incarceration would jeopardize her health.

SAMUEL B. DUSINBERRE, having pled guilty of embezzlement, was on the 23d day of September, 1893, sentenced by the judge of the superior court of Pierce county to imprisonment in the state penitentiary for the term of three years. Pardon granted June 13, 1895, upon the recommendation of the trial judge, prosecuting attorney and a large number of prominent citizens of Pierce county. The attorney for the receiver of the bank from which Dusinberre embezzled funds wrote as follows, in part: "From the time of the closing of the Bank of Puyallup, May 26, 1893, down to the middle of July, 1893, when Mr. Dusinberre was arrested, and after his arrest down to the time he was sent to the penitentiary, he did everything in his power, willingly and without promises of reward or favor, to assist the receiver of the bank and myself in straightening out the affairs of the bank and in producing the best result possible from its assets. Since he has been in the penitentiary he has displayed the same spirit and disposition, and has been of great assistance to me by the information which he has frequently given me, and which many times was an absolute confession of wrong which he himself had done in managing the affairs of the bank. He put the state to no expense or trouble whatever for his trial, but pleaded guilty and took his sentence in all humility, and has been, to the best of my information from the officials of the penitentiary, a model prisoner during his incarceration."

Letters of file in the executive office from the governor of New York, a state senator from that state, a member of congress, a county judge and surrogate, and other officials and prominent citizens of that state attest Dusinberre's previous good character and recommend his pardon.

Dusinberre turned over to the stockholders of the bank all his property, and since his imprisonment his family have been dependent upon others for support. His conduct

during imprisonment has been excellent, and he performed valuable services. At the time of his pardon he had but seven months to serve.

W. F. FENIMORE was found guilty of embezzlement, and on the 12th day of June, 1894, was sentenced by the judge of the superior court of Jefferson county to imprisonment for the term of one year, which term was fully served. Upon the expiration of his term of sentence his rights of citizenship were restored, upon the recommendation of the trial judge, prosecuting attorney, ten of the trial jurors, and the officials and a large number of citizens of Jefferson county.

ALEXANDER SMITH, having pled guilty to the crime of burglary, was sentenced April 22, 1895, by the superior court of Walla Walla, to four months imprisonment. Smith was a young fellow of about 18 years of age, of a most estimable family, and of previous good character. His crime consisted of entering a house, it not being shown that he had any felonious intent. Nothing of value was abstracted and no injury committed. It was a boyish freak more than anything else. He had but a short time to serve when pardoned.

WILLIAM HOLMES was found guilty of the crime of murder in the first degree, and was on the 25th day of July, A. D. 1894, sentenced to be hanged. Sentence commuted to life imprisonment at hard labor on August 24, 1895, upon the recommendation of the trial judge, prosecuting attorney, several of the jurors, many officials and several hundred citizens of King county.

The case was appealed to the supreme court, and from the opinion found, at page 184, volume 12 Washington, I quote the following: "It is earnestly contended by the appellant that the testimony in this case conclusively shows that the defendant should not have been convicted of murder in the first degree, and this is a question which has given the court more trouble than all the technical questions which have been raised in the case. The facts conclusively proven are that the defendant was a colored boy of weak physical structure and possibly of no very great strength of mind, who was engaged as a miner in the coal mines of the Oregon Improvement Company at Franklin, King county, Washington; and William Russell, a large powerful man, of some two hundred pounds weight, roomed with this boy; that the day upon which the killing occurred was pay day in the mines; that these two men in company of most of the miners had congregated at the company's saloon, as was the custom of the miners, to spend their wages and de-throne their reason by drinking whiskey. Russell, as is shown by the testimony, was, in common parlance, a bully, and an overbearing brutal man. On that day he had left his pistol on the table in their room and Holmes had taken it with him to the saloon, and had given it to another boy named Evan John, and told him to take it home. Russell accused the defendant of stealing his pistol, which the defendant denied, telling him that he could search him. Search was made and the pistol was not discovered on the person of defendant. Russell then, in a most brutal and cowardly manner, assaulted the boy, slapping him with his heavy hands, first on one side of the face and then on the other. The testimony shows that he rather gloried in being a ruffian; said that he did not care for death, and that he calculated to have a nigger before the day was over. As soon as he was released from the hands of Russell the defendant immediately started to overtake the boy who had the pistol, then returned to the saloon, and without any warning, deliberately fired at Russell, who evidently did not see him as he approached. The first shot failed to take effect; whereupon Russell turning jumped toward the defendant, who fired again, striking him in the forehead. Russell then fell and immediately expired. This is a hard case and the condition of the defendant is touching; and whether or not if this court had sat as jurors in the case, under the testimony they would have felt justified in returning a verdict of murder in the first degree, is questionable. But that matter having been submitted to the jury upon what we deem proper instructions, and it being a close question, under the facts as shown by the record, we do not feel justified in disturbing the verdict rendered."

In the opinion on petition for rehearing our supreme court said: "As we view the testimony, the circumstances tending to prove and disprove premeditation are conflicting, and notwithstanding the fact that the conclusion reached by the jury might not coincide with our judgment, under the law announced by this court, and by all courts in cases of trial by jury, we are compelled to accept the decision of the jury as conclusive." Another reason alleged for commutation was that Holmes was a consumptive. This proved true as he died five days after commutation was granted.

THOMAS CURTIS, having been found guilty of the crime of burglary, was on the 23d day of March, 1891, sentenced by the superior court of Pierce county to imprisonment for the term of eight years. Pardon granted September 27, 1895, upon the recommendation of the trial judge and prosecuting attorney. The prosecuting attorney in recommending pardon states that at the time of the conviction of Curtis his county was overrun with criminals, and that the judge was very severe in his sentences; that frequently convictions were secured upon slight evidence. He further states that he doubts the guilt of Curtis, and that even if guilty he has suffered enough. The judge concurs in these statements. The penitentiary physician certifies that Curtis was in very bad health and that confinement aggravates his case.

FRED N. CHANDLER was sentenced by the superior court of Pierce county on December 14, 1891, to imprisonment in the penitentiary for the term of five years, for the crime of grand larceny. Pardon granted September 27, 1895, upon the recommendation of the board of directors of the penitentiary and a large number of citizens. The board of directors passed and transmitted to the governor, a resolution, of which the following is a copy: "Resolved that after careful consideration and thorough investigation into the matter which led to the conviction and incarceration of Fred N. Chandler in the state penitentiary; in view of the exemplary conduct of said Chandler, he being placed in a position of trust, the duties of which take him several times daily into the city of Walla Walla, and he has faithfully, honestly and conscientiously carried out said duties, it is the opinion of the board that the law has been fully vindicated, and the board respectfully recommends that the extension of executive clemency to said prisoner would not defeat the ends of justice."

FRED J. SMITH, having been found guilty of the crime of horse stealing, was on the 7th day of March, 1893, sentenced by the superior court of Spokane county to imprisonment for the term of five years. Pardon granted October 12, 1895, upon the recommendation of the prosecuting attorney in the case, several of the jury, and a large number of responsible citizens of Spokane county. The prosecuting attorney in recommending pardon, among other things, said: "The defendant's motive in committing the crime was at the time and has always been a complete mystery to me, and the only motive that could be attributed to him was possibly to enable him to get means to support his family, as they were in destitute circumstances at the time, and I think that Smith afterwards admitted that he was driven to commit this offense on account of his poverty and the desire to obtain something for his family to subsist upon. Smith has a wife and several children who have been charges upon the county for a part of the time since his conviction. He bore the reputation of being an honest and industrious man, prior to this offense; was kind to his family, and seems to have committed this offense in sheer desperation. His wife has been endeavoring to earn her support and that of her children by doing washing and other work. I am of the opinion that there was no excuse for the defendant in committing this offense but, considering the fact that he has already served more than two years in the penitentiary, I think that the ends of justice have been satisfied, and the defendant sufficiently punished, and for the sake of his family a pardon ought to be granted. The petition for his pardon is signed by the most respectable business men of the city, and several of the jurors who tried him, and the universal opinion seems to be that Smith ought to be pardoned."

After his release Smith immediately secured work, and on December 31, 1895, a prominent citizen of Spokane wrote as follows in part: "Before the liberation of Mr. Smith, his family, consisting of a noble wife and five little children, lived in a shanty affording but a poor protection against the rain and cold, and with very scanty clothing and furniture and insufficient food; while now a happy reunited family live in a good comfortable home surrounded by as great comforts as they were ever accustomed to, far above the average comforts of our working classes, and what completes all a spirit of happiness, peace and contentment in the family."

MAX TRAUTWEIN pled guilty in the superior court of Spokane county to burglary and sentenced to five years in the penitentiary, on the 9th day of July, 1892. Pardon granted October 22, 1895, at which time he had but eight months to serve. The crime for which Trautwein was sentenced was the entering of a physician's office. Trautwein was addicted to the use of morphine and cocaine to a very excessive degree, and it appears that

he entered this office when suffering from the want of such drugs. The petition for pardon was signed by the prosecuting witness, and a very large number of citizens of Spokane county, including some thirty physicians, and many attorneys, clergymen and other professional men.

During his incarceration Trautwein's conduct was exemplary, a large portion of the time he being engaged in the performance of clerical work in the warden's office. Immediately upon his release he secured remunerative employment.

PETER G. BERGAMAN, having been found guilty of an attempt to commit rape, was on the 3d day of March, 1894, sentenced by the judge of the superior court of King county to imprisonment in the penitentiary for a term of ten years. Pardon granted November 8, 1895, upon recommendation of the trial judge, prosecuting attorney, prosecuting witness, several of the jury, and a large number of reputable citizens of Seattle. The trial judge, in recommending pardon, said in part: "That if as judge who tried the cause I had been in possession of information I am now possessed of, I should certainly have granted a new trial."

The prosecuting attorney in recommending pardon stated that were the facts and circumstances as developed since the trial presented to him as a basis of a criminal prosecution they would be considered insufficient.

ERMINIO GIONINI, having been found guilty of murder, was, on the day of April, 1883, sentenced by the judge of the district court of the Territory of Washington, holding terms at Vancouver, to be hanged on the 29th day of June, 1883.

Governor William A. Newell granted this man several reprieves, and finally upon the 5th day of April, 1884, commuted the death sentence to life imprisonment. Governor Newell in the document commuting the sentence, said, in part, as reasons for his action —

"I have well founded doubts as to his entire sanity for reasons assigned in papers in my possession; and whereas many respectable citizens of the Territory in the locality where he has been imprisoned for nearly one year believe that he did not commit the crime as charged against him, and so represent to me in a petition for commutation of sentence of death to imprisonment for life; and whereas he had no means to secure the services of legal counsel at his trial and the counsel assigned by the court was provided on the same day of the beginning of his trial, which counsel assures me that he had no suitable time to prepare the case and defense at all commensurate with its gravity and consequences to his client, and the prisoner had no means to secure the attendance of his witnesses."

Gionini, at the time of the murder for which he was convicted, had been in America but a short time, and was unable to speak the English language intelligently. He was without friends or means and unable to secure counsel. Upon the day of the trial counsel was assigned by the court; but there was not sufficient time for proper preparation and investigation by such counsel.

The testimony in the case was wholly circumstantial. No motive for the crime was traced to the accused; on the contrary the deceased and he were warm friends. No robbery could have been committed by the defendant, for thereafter he was penniless and unable to raise any money to defend himself, although well aware of the urgent necessity.

The principal witness in the case, in addition to being an unusually ready and willing witness, displayed a vindictive eagerness to secure a conviction, even going to the extent of securing counsel to aid the prosecution, and paying for such services himself. The trial judge in recommending pardon said in part: "But I am led to believe that the bad impression which I had at the trial as to the principal witness against him (Gionini) was probably well founded, and as the testimony of that witness formed an important link in the testimony upon which he was convicted, I have been led to think that it was at least possible that injustice had been done; and this fact, together with those which I have learned as to the exemplary conduct of Gionini during the entire time he has been imprisoned, and his state of health taken in connection with the fact that he has already been in prison about fifteen years, causes me to come to the conclusion that the ends of justice will probably be best subserved if he be relieved from further punishment; and I therefore respectfully join in the application for his pardon."

The prosecuting attorney and several hundred citizens also joined in petition for pardon. After a very exhaustive examination into this case, I have reached the conclusion that Gionini was an innocent man, and therefor pardon him. During all his long im-

prisonment he was a model prisoner; and for many years as a trusty he performed valuable and faithful service to the state.

W. T. PECK, having been found guilty of the crime of petit larceny, was on the 25th day of October, 1895, sentenced by the judge of the superior court of Whitman county to fourteen days imprisonment and costs. Pardon granted and balance of costs remitted, November 13, 1895, upon the recommendation of the trial judge, board of county commissioners, and officers of Whitman county, upon the grounds that Peck had been in jail 112 days prior to his trial; that he had been sufficiently punished, and that further imprisonment was an expense to the county, and would serve no good end.

FRANK BROWN was on the 15th day of June, 1894, sentenced by the superior court of Pierce county to imprisonment for two years for the crime of burglary. Pardon granted December 6, 1895, upon the recommendation of the trial judge and prosecuting attorney.

Brown resided on a small farm in Pierce county, and having met with reverses was not able to earn sufficient money with which to buy bread to support his family. He asked for credit at a store, was refused, and as his wife and children were actually crying for bread he drove to a store, broke into the same and took therefrom a barrel of flour and a sack of wheat. Brown had a family of a wife and five small children. It was represented at the time petition for pardon was filed, that if pardoned, he could secure remunerative employment.

A. C. MILLER was sentenced on April 18, 1892, by the superior court of Whitman county to five years imprisonment for the crime of stealing cattle, to which charge he pled guilty. Pardon granted December 19, 1895, to be effective January 1, 1896. The board of directors of the penitentiary, for the following reasons, among others, as set forth in a communication on file in the executive office earnestly recommended pardon:

"He has been a 'trusty' for the past two years; during fifteen months of this time having charge of the horses and stables at this institution, which employment necessitated him sleeping in the barn, to be ready for any emergency. During the summer it is necessary for some trustworthy convict to deliver sacks to the depot and other errands around town, with our team, and to him was assigned this work and no trust imposed in him has ever been betrayed. * * * We understand he pled guilty at his trial, and has made no effort to secure a pardon or commutation of sentence. We know he has three children dependent upon him for support, and taking into consideration his age, fifty years, his previous good character and his most exemplary conduct during his incarceration, we feel justified in presenting these facts for your consideration, and believe him to be a proper subject for executive clemency, even if such clemency is exercised in shortening his term of imprisonment only in a slight degree. * * * We are of the unanimous opinion that some acknowledgment of Miller's faithful services during his incarceration would be justified by the circumstances as laid before you."

When pardoned Miller had but six weeks to serve.

TOM WATSON and JAMES AUSTIN, having been found guilty of the crime of larceny, were sentenced by the superior court on March 23, 1891, to eight years imprisonment. Pardon granted February 6, 1896, upon the recommendation of the trial judge and prosecuting attorney, for the same reasons as given in the case of Thos. Curtis, hereinbefore set forth, and Harry Irwin, all four of whom were tried for the same offense.

OLIVER COURTEMARSH was on the 24th day of October, 1894, sentenced by the superior court of Clarke county for three years imprisonment for the crime of assault with intent to commit rape. Pardon granted February 24, 1896, upon the recommendation of the trial judge, prosecuting attorney, sheriff, and more than four hundred citizens and residents of the city of Vancouver, where the offense was committed and tried, comprising federal and county officials, attorneys, merchants, editors, ministers and wives of leading citizens, and seven of the jurors in the case.

Nearly a year before the pardon was granted the trial judge wrote as follows: "While I cannot recommend an immediate pardon, I do think that a much shorter sentence than the one imposed would be ample punishment in view of the facts and circumstances arising since the trial and judgment. Since his incarceration in the county jail some eight months ago his demeanor has been first class. * * *"

During a jail break Courtemarsh left the jail and immediately ran to the jailor's house to inform him of the occurrence; but finding no one there but the jailor's wife, to whom

he communicated the fact, he then ran to the judge's house, notified him, and then returned to his cell in jail.

W. G. V. RENWICK, having pled guilty to the crime of embezzlement, was on the 4th day of March, 1895, sentenced by the superior court of Spokane county to imprisonment for the term of two years. Pardon granted March 16, 1896, upon the recommendation of the trial judge, attorney general of the state, the prosecuting attorney in the case, the board of county commissioners, and many officials and citizens of Spokane city and county.

Renwick has a wife in delicate health and dependent upon him for support. At the time pardon was granted it was represented that he could secure remunerative employment. When pardoned he had served three-fourths of his term, allowing good conduct credits.

O. H. HARRINGTON was sentenced September 23, 1895, by the judge of the superior court of Walla Walla county to imprisonment in the penitentiary for the term of two years for the crime of grand larceny. Pardon granted March 26, 1896, upon the recommendation of the trial judge and prosecuting attorney who stated that at the time of his arrest, arraignment, plea and sentence that he was laboring under the effects of a protracted spree, and did not realize the commission of the crime or its consequences. Many leading citizens of Walla Walla join in petition for pardon.

JOHN KANE was sentenced January 4, 1892, by the judge of the superior court of Thurston county to ten years imprisonment for the crime of burglary. Pardon granted April 1, 1896, upon the recommendation of the trial prosecuting attorney, prosecuting witness and a large number of leading and reputable citizens of Olympia.

The prosecuting attorney who conducted the case, in recommending pardon, says in part: "The offense for which he was convicted was committed early in the evening on January 3, 1892, and the arrest was made a few minutes afterwards. The next day the undersigned filed an information against said Kane charging him with burglary and he was brought before the court where he pleaded guilty and was immediately sentenced to ten years in the penitentiary. That the undersigned believed at that time and still believes that said Kane was not a hardened criminal, but was a simple ignorant man without means, and that he committed the offense for which he was charged solely for the purpose of being arrested and committed to jail for a few months, or until the weather got warm."

Conviction was had without the expense of a dollar to the state.

Kane's conduct during imprisonment was good.

THOMAS C. POWELL was tried in the superior court of Cowlitz county on June 8, 1895, found guilty of manslaughter and sentenced to imprisonment for one year, which term he served in full. Upon the expiration of his term his civil rights were restored upon the recommendation of the trial judge and prosecuting attorney.

VICTOR E. SQUIRES was on the 16th day of January, 1896, sentenced by the judge of the superior court of Skagit county to one year's imprisonment in the county jail for the crime of obtaining money by false pretenses. Pardon granted May 5, 1896, upon the recommendation of the board of county commissioners, prosecuting witness and a large number of merchants and business men of Mount Vernon.

It appears that two forged bills of lading were sent to a business man in Portland who advanced money thereon by checks sent to one Harris. The bills of lading were not in the handwriting of Squires, but the drafts or checks received were presented at the bank by him, and he received the money. Squires pled guilty.

The petition for pardon and the trial judge and prosecuting attorney state that in their opinion Squires was simply a tool for the hands of others.

The money fraudulently procured was all returned to the person entitled thereto.

A. L. FULLER was on the day of January, 1896, sentenced by the judge of the superior court of Snohomish county to two years imprisonment for the crime of burglary. Pardon granted May 28, 1896, upon the recommendation of some seventy-five reputable officials and citizens of Everett, who allege that "Fuller was convicted on the testimony of two witnesses who were *particeps criminis* and who escaped prosecution by turning states evidence; one of whom testified that Fuller told him to take the goods and in whose house the goods were found. There was no evidence that Fuller was to get any portion

of the goods, or the proceeds therefrom. Fuller has resided here since 1891 and is regarded by our best citizens as being an honorable upright man. He leaves an estimable wife and two small children in destitute circumstances, who must depend upon the charity of the public for support."

FRANK HASSELTINE, was on April 25, 1895, sentenced by the judge of the superior court of Walla Walla county to imprisonment for two years upon plea of guilty of stealing neat cattle. Pardon granted June 5, 1895, upon the recommendation of the trial judge and a large number of officials and citizens of Walla Walla county. Hasseltine was a young man of twenty-two years of age; his parents to whose support he contributed much are both over sixty-three years of age. Disaster has dissipated their fortune and broken their health, the father being feeble and the mother totally blind. Hasseltine also has a young wife and an infant child born since his incarceration who are in need of his support. The warden certifies to his "most exemplary conduct" during imprisonment.

CHARLES A. VORHEES was sentenced on February 15, 1895, by the superior court of Whitman county to two years imprisonment for cattle stealing. Pardon granted June 8, 1896, at which time he had but four and one-half months to serve, allowing the legal deduction for good behavior. It appears that the crime for which he was convicted was the stealing of one cow valued at \$14, and that the jury recommended him to the mercy of the court. Vorhees had a family of a wife and five small children dependent upon him for support. It was represented that if Vorhees was released he would be able to secure employment in the harvest fields; and that if he served the remaining four months harvest time would be past.

JACKSON MORGAN was sentenced by the superior court of King county to imprisonment for five years upon plea of guilty of burglary entered June 17, 1893. Pardon granted June 30, 1896. From papers on file it appears that Morgan, along with two men, was arrested on a charge of breaking into a dwelling house in the day time with intent to commit a misdemeanor. Entrance to the house was effected through a window covered only by a piece of mosquito netting, which was torn aside. It appears by the affidavit of the prosecuting witness "that the property taken from the house consisted of a clock and other small articles, the whole not exceeding \$20.00 in value. There was no eye witness to the breaking into the house, but the goods were afterwards found in the possession of the defendants above named." Frank Snow, one of the men indicted with Morgan, makes affidavit that Morgan did not assist in the actual breaking and entering into the house and did not take any part in said breaking and entering. The prosecuting witness and the prosecuting attorney at the trial recommended pardon. Morgan's family is a respectable one living in Washington city, and they sent him money to return home, which he did immediately upon his release.

THOMAS E. SHOEMAKER, having pled guilty to the crime of arson, was on the 11th day of May, 1895, sentenced by the superior court of King county to imprisonment in the county jail for five months and fined \$1,000. He served his term of five months and on July 20, 1896, the balance of the fine remaining unserved was remitted upon the recommendation of the board of county commissioners of King county, and several citizens and officials of said county. It appears that Shoemaker had a wife and child in Los Angeles, California. Immediately prior to his release he was offered a position in California, and upon his release I believe he left for California.

DOUGLAS MCCOMBIE was sentenced September 7, 1895, by the judge of the superior court of King county to one year's imprisonment for larceny, which sentence he fully served, and was released July 28, 1896, receiving the legal deduction of two months for good behavior. His civil rights were restored August 1, 1896, upon recommendation of the prosecuting witness and several citizens of King county. McCombie was a young man of less than twenty-one years.

WILLIAM VAN WATERS was sentenced on the 4th day of October, 1895, to pay a fine of \$100 for the crime of larceny. Affidavits and representations made by reputable citizens of facts arising subsequent to the trial and after motion for new trial had been denied, induce a grave doubt of the guilt of Van Waters. His wife, as appears by the certificates of physicians was in a very dangerous condition, and being without means to secure attendants the presence of Van Waters was not only desirable but necessary to save the woman's life. Upon the recommendation of a very large number of citizens including

some of the jurymen, a pardon was granted August 12, 1896, at which time he had but one day more to serve.

N. S. BARR, having been found guilty of the crime of murder in the second degree, was on the 28th day of March, 1894, sentenced by the superior court of Whatcom county to ten years imprisonment. Pardon granted August 21, 1896, upon the recommendation of several hundred citizens of Whatcom, including the prosecuting attorney and other county officials and nine jurors.

Barr's crime consisted in setting a trap gun in a cabin which he had occupied, just previous to his going into the mountains on a protracted hunting trip. During his absence four persons effecting an entrance to the house discharged the gun, killing one of them. The prosecuting attorney in recommending pardon said, in part: "While the conviction in the trial court and its affirmance in the supreme court in this case is in our opinion fully sustained and warranted by the law and the evidence, however we are free to say that this case for the first time to our knowledge presented for adjudication to an American court of last resort in a criminal case, the question of responsibility for taking human life by setting spring guns in the habitation. Wide spread erroneous impression undoubtedly existed among the people and no little misconception on the part of some courts of last resort, as to the right to defend one's property and therefore one's habitation considered as property by deadly means."

EDMUND GRASSET was sentenced in December, 1893, by the superior court of Whatcom county to one year's imprisonment for the crime of forgery, which term he fully served. His civil rights were restored August 31, 1896, upon the recommendation of the trial judge, prosecuting attorney and several hundred citizens of Whatcom county.

H. M. COSS was sentenced December 5, 1894, by the superior court of Lincoln county to two years' imprisonment for grand larceny, which consisted in the taking of some four thousand feet of lumber. Pardon granted September 3, 1896, upon the recommendation of the trial judge, prosecuting attorney, prosecuting witness, nine jurors, and several citizens. Coss was a young man with a wife and children dependent upon him for support.

MARTIN MURPHY was sentenced from King county March 30, 1894, to ten years' imprisonment for robbery. Pardon granted September 4, 1896, upon recommendation of the warden and physician of the penitentiary for the reason that Murphy was dying of consumption, and that his death was not far off. It was represented that arrangements were effected for his care by friends, if released, better than could be afforded at the penitentiary. Murphy died in a San Francisco hospital during the early part of November, 1896.

WILLIAM A. NOLEN was sentenced January 15, 1893, by the superior court of King county to three years' imprisonment for larceny, which sentence he fully served. Civil rights were restored September 28, 1896, upon the recommendation of the trial judge and prosecuting attorney.

JOHN E. SPLAYFORD was sentenced March 23, 1895, to ten years' imprisonment by the superior court of Snohomish county for the crime of assault with attempt to commit rape. Pardon granted November 6, 1896, upon recommendation of the trial judge, prosecuting attorney, seven jurors. It appears by the certificate of the penitentiary physician that Splayford was infected with consumption and was not likely to live but a few weeks. The trial judge recommended pardon by reason of his dying condition and also because of his belief from facts arising after conviction that Splayford's sentence was too severe. Splayford died about a month after he was pardoned.

THOMAS HINCHEY was sentenced December 14, 1891, to twenty years' imprisonment by the superior court of Pierce county for the crime of murder. Pardon granted November 7, 1896, upon the recommendation of the trial judge, the prosecuting attorney, seven jurors and a large number of citizens. It appears from papers on file that Hinchey was a bricklayer working at his trade in Tacoma and Seattle and on July 14, 1891, came to Tacoma from Seattle and went to a saloon and began drinking. Thereafter he purchased a revolver, wrote a couple of letters, one to his mother telling her he was about to commit suicide, and another to a friend as to the disposition of a watch, and telling him he was going to kill himself, and gave them to a person to mail. He then returned to the saloon, and as soon as he entered, without any provocation or previous talk he started shooting and wounded the proprietor, and shot one George Martin who was a total stranger and

unknown to the defendant, from the effects of which Martin died a few hours later. The testimony on the trial showed that Hinchey was laboring under a delusion that every one was conspiring against him, and calling him foul names, and believing Martin called him these names and was one of the men he thought were pursuing him, he shot and killed him. The jury recommended the mercy of the court to the defendant. The board of penitentiary directors in a communication said as follows, in part: "When improvements were commenced some time since, he was placed in charge of a gang of men engaged in bricklaying, he being in fact the competent man here in that line of work. He was thus engaged during all the time the improvements were being made, was painstaking in his work, and evinced as much interest throughout as though he were receiving wages. During the present summer he rendered valuable services of great value to the state. While not presuming to indicate your action, we feel that his conduct and valuable service entitles his case to great consideration at your hands."

Hinchey's case was appealed to the supreme court, but the appeal was dismissed, because the statement of facts was not filed according to law. A second appeal was attempted, under the act of 1893, but the superior judge, before whom the case was tried, and whose term had expired, declined to settle and certify statement of facts. An application was made to the supreme court for a writ of mandate compelling the trial judge to settle and certify the statement, which was denied. In neither could the supreme court consider the case on its merits, nor pass upon alleged errors.

JOHN W. GIDDINGS was sentenced on the 29th day of September, 1894, to serve a term of one year in the state penitentiary for the crime of assault with a deadly weapon, committed in Snohomish county, which term he fully served, save the deduction allowed by law for good behavior. It appearing that Giddings had conducted himself as a good citizen since his release his civil rights were restored November 18, 1896, upon the recommendation of the trial judge and prosecuting attorney.

GEORGE F. SMITH was sentenced in the superior court of Okanogan county on May 16, 1896, to imprisonment in the penitentiary for the term of one and one-half years for the crime of stealing cattle. Pardon granted November 18, 1896, upon the recommendation of the trial judge, two jurors and several citizens. The trial judge in recommending pardon under date of May 27, 1896, said in part: "He insisted upon the trial and still insists that he thought the animal was his own, and some evidence was given upon this point, and further insisted that he did not intend to steal an animal which he claimed as his own. However, although he has been declared guilty of the crime, I think that a pardon in this particular case would do him more good and be of more benefit to him and society than his having to serve a term in the penitentiary. In passing sentence upon Mr. Smith I had in mind your rule not to consider an application for a pardon where the sentence is for one year or less, and in order that the matter might be called to your attention, so that you might investigate the case, I made the sentence eighteen months. I regard this a case for executive clemency rather than for the harsh rules of law, and would therefore recommend a pardon."

A member of the Everett Cattle and Dressed Meat Company in recommending pardon said, in part: "Amongst the band of cattle purchased from the receiver of the Okanogan Live Stock Company by the Everett Company, was a "three bars" brand. These cattle formerly belonged to Mr. George Smith and his brother. * * * I am satisfied that the "three bars" brand of cattle always belonged to the Everett Cattle Company by its purchase from the receiver of the Okanogan Cattle Company, and in the change of management from Everett Cattle Company this Mr. Smith was interested with a Mrs., and I am satisfied that in the particular instance whereby Mr. Smith was convicted the "three bar" brand cattle belonged to the Everett Cattle Company, and took them supposing he had a perfect right to do so; he was simply careless and his own worst enemy in not being sure."

A. J. KROENERT, having been found guilty of the crime of permitting and allowing sawdust to be thrown into the Chehalis river, was on May 28, 1896, sentenced by the superior court of Chehalis county to pay a fine of \$100 and costs amounting to about \$75. Fine, but not costs, remitted November 23, 1896, upon recommendation of trial judge and prosecuting attorney. From the statement of these officials it appears that the shingle mill from whence the dust came into the river was in litigation and was owned by a brother of the defendant and that the defendant was running the mill for his brother, who

was a non-resident; it appears that defendant paid but little attention to the mill, and was not aware of the violation of the law by his employees. The trial judge is of the opinion that the foreman might have been more properly indicted.

FRED LA POINT was on June 8, 1889, sentenced by the United States district judge to imprisonment for fourteen years for robbery committed in King county. Pardon granted November 23, 1896, upon recommendation of trial judge, who in a communication to the governor wrote as follows:

"About one year ago I forwarded to you the application of Fred La Point, for a pardon, and in that connection I wrote as follows: 'As I remember this man's case it was proven that a robbery had been committed and La Point was identified by the victim and the police officer as the robber. The witnesses did not impress me as being first class. Were I a witness without a better opportunity for observing the robber than they had, I would not have given positive testimony as they did, identifying La Point as the man. I considered, however, that he failed to give a proper account of himself, and therefore deferred to the verdict of the jury and gave him a heavy sentence. His letter indicates that he has a manly spirit, and that his future conduct will probably justify you in the exercise of executive clemency in his case.'

"I now add that at the time of passing sentence upon Mr. La Point I felt obliged to deal severely with all cases of personal violence for the reason that at that particular time this community seemed to be infested with footpads, burglars and robbers, and it seemed necessary to enforce the law with a strong hand in order to suppress their operations, and accordingly Mr. La Point being convicted by the verdict of a jury, and there appearing to be no sufficient ground upon which I could set aside the verdict, I sentenced him to the penitentiary for fourteen years. Since writing the letter above quoted, it has been represented to me by the officers of the penitentiary that Mr. La Point has, during the time of his incarceration, behaved in an exemplary manner and that he does not appear to be a professional criminal. In the light of his subsequent conduct, I believe that even if guilty of the crime for which he was convicted, he has been sufficiently punished, having been in the penitentiary now more than seven years. I have no hesitation therefore in saying that I consider this a proper case in which to exercise your power to pardon."

OSCAR H. SPRINGER was sentenced on the 20th day of June, 1896, by a judge of the superior court of King county to imprisonment in the penitentiary for the term of one year for the crime of assault with intent to commit murder. The prosecuting witness in this case, one Watson, had had trouble with his wife and they had separated. On returning one day from a shooting park, Springer was asked by a child of the prosecuting witness to come immediately to her home as her father had returned home and there was likely to be trouble between him and his wife. Aware of the previous trouble, Springer went, and then ensued words, leading to Watson striking Springer and endeavoring to eject him from the house. It is claimed that in being pushed through the door Springer's foot caught, and in swinging around to prevent falling his pistol was accidentally discharged, the bullet going through the door and striking Watson, without doing any harm however. Watson testified at the preliminary examination, but left the county before the trial in superior court. In a communication to his wife some time after the conviction, which letter is in the files of the case, Watson said: "I left Everett because I did not want to go to court and give evidence against him, for I do not believe he expected to hurt me at the time and I am still of the same opinion. I think the whole thing was accidental."

Upon the recommendation of eleven of the jurors and several citizens the sentence was commuted to imprisonment in the county jail for King county, ending April 20, 1897, which is equivalent to the sentence to the penitentiary allowing the usual deductions for good behavior.

WILLIAM VON GORLENTZ was on July 20, 1893, sentenced to five years imprisonment in the penitentiary for the crime of embezzlement, committed in Spokane county. The crime consisted of embezzling some \$80 entrusted to him for the purpose of purchasing a railway ticket but which while in an intoxicated condition he spent. Pardon granted November 27, 1896, upon the recommendation of the trial judge, prosecuting attorney, prosecuting witness and many citizens of Spokane.

WILLIAM LLOYD was sentenced on the ... day of October, 1894, to imprisonment in the penitentiary for three years for the crime of stealing cattle, committed in Columbia county. Pardon granted November 27, 1896, upon the recommendation of the trial judge.

the prosecuting attorney and several citizens of Columbia county. From the statements of the judge and prosecuting attorney, Lloyd, who was a very young man, fell in with a gang of cattle thieves. Lloyd gave testimony resulting in the breaking up and conviction of this gang, which convictions could not have been had without his testimony. The warden certifies to Lloyd's good conduct during incarceration, and that for the last year he has been a trusty, having had charge of the stables and carrying mail between the postoffice and penitentiary. Allowing usual deductions given by law for good behavior. Lloyd had but four months to serve when pardoned.

ED. OWENS was, on April 23, 1896, sentenced by the judge of the superior court of Yakima county to two years' imprisonment for the crime of assault with intent to commit murder. Pardon granted November 27, 1896, upon recommendation of the trial judge, prosecuting attorney, seven jurors, the county commissioners and other officials and many citizens of Yakima county. It appears that the prosecuting witness and his wife were seeking to withhold from the defendant certain warrants to the amount of several hundred dollars, which he had deposited with them, and it was in an endeavor to secure these that the offense was committed. The warrants were secured by replevin after this occurrence. The prosecuting attorney, in recommending pardon, says in part: "I have no hesitation in saying that, while Owens was technically guilty of the crime with which he was charged, he has been punished sufficiently, and the ends of justice would be best subserved if he were pardoned. The man whom Owens assaulted is notorious as a man who takes advantage of every one he has dealings with. Owens has always been a hard working man, and the people in the community in which he lived speak in the highest terms of him. It seems that while frenzied at the prospect of having his last dollar wrongfully taken from him, he forgot himself and committed the crime."

BURFORD C. JOHNSON pled guilty August 5, 1895, to the crime of cattle stealing, and was sentenced by the superior court of Spokane on August 5, 1895, to six years' imprisonment. Pardon granted February 11, 1896, upon the recommendation of the trial judge, prosecuting attorney and many officials and citizens of Spokane city and county. Johnson gave valuable information to the prosecuting attorney whereby several gangs of cattle thieves were broken up, either by prosecution or flight to avoid prosecution, without which information the prosecuting attorney states these gangs could not have been broken up. Johnson was a young man, and had previously borne a most excellent reputation. He fell in with these cattle thieves, who obtained such control over him that in order to get out of their clutches he was compelled to assist them.

JOHN SLAVIN was sentenced May 13, 1892, by the judge of the superior court in and for the county of Jefferson to ten years' imprisonment for the crime of robbery. Pardon granted December 23, 1896, upon the recommendation of the trial judge and prosecuting attorney. The trial judge in recommending pardon said, in part, as follows: "The sentence imposed by me of ten years is seemingly a long one, and a few words in explanation thereof from me would not be out of place. At the time of the commission of this crime, and for some time prior thereto, this city was infested with a number of criminals of all kinds and the sentence was imposed upon Slavin as a punishment for his crime, as well as a warning to others. The effect of the sentence was felt here and we were soon rid of a dangerous lot of criminals. If Slavin frankly admits the enormity of his crime and justice of penalty, and his expressions of regret are manly and sincere, and is penitent, and has resolved to try to lead an honorable life in the future, I am satisfied that he has been punished enough. To my mind then the objects of such a severe sentence has been fully accomplished and I feel no hesitancy in joining in asking a pardon for him."

Slavin's crime was robbery and the amount involved was \$65. During his incarceration in the penitentiary he has been an exemplary prisoner and a trusty a large portion of the time.

BENTON WILSON, having been found guilty of the crime of murder, was on the 5th day of March, 1895, sentenced by the judge of the superior court of Spokane county to imprisonment in the state penitentiary for a term of ten years. Pardon granted December 23, 1896, upon the recommendation of the trial judge, the prosecuting attorney, many of the county officials of Spokane county, several of the jury, and more than one hundred citizens of Spokane county.

The letter of the trial judge dated November 17, 1895, recommending pardon, is as fol-

lows: "Benton Wilson is now confined in the state prison at Walla Walla having been convicted of murder in the second degree for killing J. W. Johnson in this county.

"I presided at a trial of Benton Wilson, Charles Wilson, his father, and Mrs. Johnson, wife of J. W. Johnson and sister to Benton Wilson, who were tried together on the charge of murder in the first degree. The trial was sensational and in important particulars very unusual. When there was very slight evidence connecting Benton Wilson with it, but evidence pointing to his father, Benton acknowledged that he had committed the deed, and sought to justify it as the only means of protecting his sister from the insane rage of J. W. Johnson, her husband.

"To my mind, it was only a question whether the jury would believe the testimony of Benton Wilson as to the circumstances leading to and when immediately the fatal blow was struck; death following instantly a crushing blow delivered on the back of the head. The jury should have acquitted if it believed Benton Wilson's story of the killing, for although Johnson and Benton Wilson were then about a mile from the Wilson country home house, where Mrs. Johnson was, if the deceased was raging like a wild beast, armed with a loaded revolver and threatening to return and kill his wife, who had just told Johnson that she would never again live with him, and was in the act of returning to execute his threat, Benton Wilson was justified in striking to prevent this result, notwithstanding death instead of disability followed the blow.

"The evidence showed that the Wilson home was six miles from the village of Chattaroy, in a thinly settled region and no near neighbors, and that the father, Charles Wilson, was away at Chattaroy, and Mrs. Johnson, her mother, Mrs. Wilson, her eighteen year-old sister and a five or six-year old brother only, were at the house.

"Benton Wilson was without weapons, and if Johnson got out of reach of his arm, not only the defenseless women and children, but Benton Wilson himself would have been at the mercy of Johnson's revolver.

"The very best that Benton Wilson then could have done would have been to have entered a race with the enraged man for the house, to have barracaded it against him, with the chances that if he outran Johnson, he could not outrun the bullets from Johnson's revolver.

"It is the law that under such circumstances, the son and brother might defend, and to my mind it was his duty not to wait till the murder of those he should protect was imminent, but to let his acts respond to the energy infused into him by his desperate surroundings.

"My view of this subject at the trial will better appear to you by the instructions I gave the jury, which I enclose as a part hereof.

"A cloud of doubt and suspicion hung over the trial and especially affected the weight of Benton Wilson's testimony with the jury. That was, the calamitous circumstance, that immediately on delivering the fatal blow, Benton Wilson took the body in his arms, carried it to a secluded spot near the public road, where the killing occurred, left it there till night and then buried it there, where it remained for about one year, when it was accidentally discovered.

"Had Benton Wilson gone to his nearest neighbor, or to Chattaroy, and published the killing immediately, I do not doubt his acquittal, but this unfortunate mistake and his subsequent efforts to conceal the identity of the remains, must have caused the jury to disbelieve that part of his testimony which tended to justify himself.

"What has been said is upon the assumption that Benton Wilson's testimony was true. Now, was it true? I can say that it was natural, logical and harmonious with all the other evidence.

"The separation of Johnson and wife, and her refusal longer to live with him, was to be expected from the breeding and raising of the two. Johnson's frenzy at being deprived of Mrs. Johnson was the natural outcome of the mad passion which had made him a slave before marrying, and when his suit did not progress favorably had made him threaten his own life and seriously contemplate self destruction.

"His mad attempts to get possession of his wife in Helena, at one time chasing her with a loaded revolver through the house and into the kitchen where she resided, because she would not submit to him, all prepare one for the desperate madness which Benton Wilson says seized him when, as must have appeared to Johnson, he had parted with his wife for the last time, with foaming mouth and frenzied eye he broke from him, swearing he would return and kill his wife, and that she should never live with any other man.

"Benton Wilson and all of the family knew of Johnson's frantic conduct during his courtship, and of his treatment of Mrs. Johnson after marriage. Benton Wilson and they knew of Mrs. Johnson's dread of Johnson's presence, and after the interview between Mr. and Mrs. Johnson at the yard gate, Mrs. Johnson told Benton of Johnson's being armed with a pistol and warned him of the danger.

"Under the circumstances the story told by Benton Wilson of the killing is natural.

"If Benton Wilson has not told the truth, then J. W. Johnson was brutally assassinated, and somebody ought to have been hung. But this theory of the killing is unnatural, improbable and motiveless. Benton Wilson's parents are native Americans, have borne a good reputation in all places where they have lived and at all times. His father was a Union soldier in 1861, and the family is intelligent, law-abiding and obedient to all duties which society has placed upon them; while they are not rich, it has not transpired that they are not and were not well to do and independent. Johnson had nothing and they knew it. There was positively no money in it, and it is inconceivable that this old soldier with an honorable record behind him, and the dutiful and affectionate and wholesome mother of a family and Mrs. Johnson and this boy, Benton Wilson, without years or experience could have entered into a conspiracy that must lead to murder and then execute it, when it must have been known to a school girl and a child of five or six.

"Benton Wilson is not a born criminal, nor is there anything that does not contradict the suggestion that there is any criminal blood or tendency or record in the family, but the reverse. It is a good, honest, wholesome American family, where the members love each other, and abnormal criminals do not often come out of such families.

"Benton Wilson is a farmer's son, about twenty-six or twenty-eight years of age, intelligent and courageous, and who, up to the time of this killing had worn "the white rose of a blameless life."

"You may wonder why I did not give him a new trial. There was nothing the matter with the trial from a professional standpoint—the trial was fair and flawless.

"The court could have lifted the court out of their trouble had it not been forbidden by the constitution, and when the jury found the facts the court could only pronounce the penalty.

"Besides, since the trial much has been produced which supports Benton Wilson as to character, which could not have been admitted under rules of evidence, if offered, much as to his truthfulness, and much as to the probabilities and of a corroborative nature.

"I have assumed that you are familiar with the testimony and the whole record.

"For the foregoing reasons, I am of the opinion Benton Wilson is a proper subject for executive clemency, and if now extended I believe Benton Wilson's will be a useful and honorable life."

This case was before the supreme court and was affirmed by a bare majority. An able dissenting opinion was written by Chief Justice Dunbar and concurred in by Judge Stiles, found in the 10th Washington on page 410, to which your attention is respectfully invited.

WILLIAM ROBERTSON on the 30th day of January, 1895, entered a plea of guilty to the information charging him with the crime of burglary, committed on the 21st day of January, 1895, and was thereupon sentenced by the judge of the superior court of Whatcom county to imprisonment in the state penitentiary for the term of five years. Pardon granted December 28, 1896, upon the recommendation of the trial judge and prosecuting attorney, the prosecuting witness and a large number of reputable citizens of Whatcom county, including several county officials. The trial judge and prosecuting attorney in a joint communication recommending pardon stated in part as follows:

"A number of burglaries had been committed in said city during the two weeks preceding said 21st day of January, 1895, and various articles stolen from the buildings broken into. The defendant, Robinson, was arrested by the police officers when about to enter a shack on the outskirts of the town, at about the hour of midnight, in which he and another man had been staying for a short time. At the time of his arrest Robinson had in his possession certain stolen property, to wit, a goose. In the shack were found the articles which had been stolen from the outhouse of the said Latta, consisting for the most part of canned goods, wines, meats, etc. In the possession of the said Robinson and his comrade in crime was also found a quantity of meat which had been stolen from a smoke house which had been burglarized a few nights previous to the burglary with which Robinson was charged. Robinson was advised of the nature of the crime with

which he was charged and also of the penalty, and was informed that the state could not consistently charge him with the trivial offense of petit larceny. Robinson was sentenced to five years in the penitentiary. He refused to divulge to the court any of his antecedents when called upon to do so before sentence. The person who was in the company of Robinson when the latter was arrested escaped the police. From the description of the police officers given of such person, the inference is warranted that he was a thorough crook. It has subsequently appeared that said Robinson has for a number of years been a resident of Mt. Vernon, Skagit county, in this state, and that his mother resides there at the present time. It further appears from the written statements of many reputable citizens of the town of Mt. Vernon, that said Robinson, during all the years he has resided there, has borne a good character; that he was never before accused of crime; that he had theretofore been an industrious man. Inasmuch as an application is about to be made to your excellency for the pardon of said Robinson at the expiration of one year from the date of his incarceration in the penitentiary, in view of the circumstances herein detailed concerning the former history of said Robinson, and which were unknown at the time of his plea and sentence, and in view of the further fact that the property stolen from said smoke house and out house consisted in the main of articles of food, we desire to concur and do hereby concur in recommending that the said Robinson be pardoned at the expiration of one year from the date of his incarceration in the penitentiary. We believe that justice will be satisfied and the law vindicated by such a course upon your part in the exercise of executive clemency."

In accordance with this recommendation, pardon was granted December 28, 1896, at which time, allowing legal credits for good behavior, Robinson had served more than one year. His conduct during incarceration has been good, as appears by the certificate of the warden on file.

EDWARD RYAN, having been found guilty of the crime of robbery, was on the 5th day of March, 1891, sentenced by the judge of the superior court of Pierce county, to imprisonment in the state penitentiary for the term of eight years. Pardon granted December 28, 1896, upon the recommendation of the trial judge and prosecuting attorney under date of February 11, 1896. In the petition filed for pardon among other things it is stated that "The sentence imposed upon the said Edward Ryan was severe for the reason that he is not an habitual criminal, never before having been charged with any crime, but was led into this trouble by associates with whom he had formed a chance acquaintance while working in a railroad camp. The entire party were under the influence of liquor when the asserted robbery was committed. The amount involved was less than \$6. At the time of his pardon Ryan had but eight days to serve. His conduct during incarceration was good, as appears by the certificate of the warden.

EUGENE HELM was sentenced on the 5th day of May, 1896, by the judge of the superior court of Douglas county for a term of one year in the county jail for the crime of horse stealing. Pardon granted December 28, 1896, upon the recommendation of the sheriff, prosecuting attorney and several other officials of Douglas county. One of the county officials in recommending pardon stated, in part:

"Helm was sentenced, as the petition states, last April to one year's imprisonment in the county jail. He has conducted himself in such a manner as to entitle him to a rebate upon his term. But there are other and more potent reasons why the hand of mercy should be extended to him at this time. He is in very poor health, and what is far more deplorable has a wife living at Ellensburg, recently confined, who is in abject want. We all believe that his recent experience has been a salutary lesson, and that upon his return to liberty he will be careful to keep to the straight and narrow path."

W. A. HALL was sentenced on February 13, 1894, to one year's imprisonment in the state penitentiary for the crime of assault, which term he served in full. On February 15, 1895, his civil rights were restored upon the recommendation of the prosecuting attorney, it appearing that Hall since his release has conducted himself in a proper manner.

JOHN MCCRELLIS was sentenced by the judge of the superior court of Spokane county, on the day of September, 1892, to imprisonment in the penitentiary for the term of ten years for the crime of burglary. Pardon granted January 6, 1897, upon the recommendation of the trial judge and prosecuting witness. The following is an excerpt from the statement made by the prosecuting witness and concurred in by the trial judge:

"McCrellis is a tinner and occupied a frame shop just west and adjoining the large

mercantile establishment of W. J. Dunstan, in this city. He cut through the division wall and thus entered Dunstan's wareroom and from time to time took out articles of small value which he sold for sums sufficient to supply his daily wants. He was unmarried and alone, and had fallen into habits of excessive drink, and this was the cause of his offense.

"At the time of the trial McCrellis was believed to be one of a gang of burglars and that he was a confirmed criminal. It has since been learned that this was his first offense, and that he was a well raised man of previous good habits and good character and that no one was with him in the breaking into the wareroom in question."

GEORGE WILLIAMS, an Indian, was sentenced by the judge of the superior court of Thurston county on the 5th day of June, 1893, to imprisonment in the state penitentiary for a term of ten years for the crime of manslaughter. Pardon granted January 6, 1897, upon the recommendation of the trial judge, prosecuting attorney and citizens. The trial judge, in recommending pardon, stated as follows:

"While I have never doubted that the evidence was legally sufficient to sustain the verdict and the judgment entered thereon, it is nevertheless true that the defendant, by reason of his inability to speak or understand the English language, was greatly handicapped and his counsel correspondingly embarrassed upon the trial. The defendant was without means to employ counsel, and counsel was appointed to defend him, who ably performed that service without compensation. The quarrelsome disposition of the deceased was not shown upon the trial. This is not surprising when we consider that the defendant was without means and also unable to speak or understand our language. It now appears that the deceased was of a very violent and quarrelsome disposition and had himself been guilty of numerous assaults and also of felonious homicide. Had this been shown upon the trial it might have resulted in a different verdict, inasmuch as there was evidence tending to show that the deceased was himself the aggressor in the fatal encounter, and the jury, aided by the knowledge of deceased's quarrelsome disposition, might have reached a different conclusion.

"In view of these circumstances and considering further that the defendant is an untutored Indian, hereditarily inclined to revenge his own wrongs, it seems to me that executive clemency might properly be extended in his behalf."

GEORGE R. A. FARRIS was sentenced September 21, 1892, by the judge of the superior court of Klickitat county to imprisonment for ten years for the crime of horse stealing. Pardon granted January 6, 1897, upon the recommendation of the trial judge, prosecuting attorney and a large number of citizens. The crime for which Farris was sentenced was the stealing of eight horses, the value of which is alleged in the information to be \$400. The prosecuting attorney strenuously insists that the sentence of ten years was very excessive. Farris had previously borne a good reputation, and has a large family dependent upon him for support. Allowing the legal deductions for good behavior, which he has earned, he has served the equivalent of a six years' sentence.

WILLIAM STEVENS was on the 5th day of September, 1894, sentenced by the superior judge of Jefferson county to three years' imprisonment in the penitentiary for the crime of burglary. Pardon granted January 9, 1897, upon the recommendation of the trial judge and prosecuting attorney. Stevens is a young man just twenty-one. This was his first offense; his conduct during incarceration was good; and it is represented to me that if pardoned he can at once secure remunerative employment. At the time pardon was granted he had only about one month to serve, having earned legal deductions for good behavior.

FRANK O'BRIEN was sentenced on the 18th day of October, 1889, by the judge of the district court of King county to imprisonment in the state penitentiary for the term of fourteen years for the crime of robbery. His crime consisted in taking from the person of another man the sum of forty dollars; both persons were drinking, and the evidence against O'Brien was purely circumstantial. His pardon was recommended by a large number of citizens, including the prosecuting attorney, upon the grounds of the excessiveness of the sentence. The time served was the equivalent of a ten-year sentence.

The civil rights of the following named persons were restored in the orders of discharge releasing them from the penitentiary after having fully served their respective terms of imprisonment, upon the recommendation of the prison officials, it being certified that during imprisonment their conduct had been especially good:

<i>Name.</i>	<i>Date of discharge.</i>
J. Daley.....	August 11, 1895.
Geo. Benson.....	September 1, 1895.
All. Griffin.....	September 27, 1895.
James Green.....	December 19, 1895.
A. Hall, senior.....	December 25, 1895.
Geo. Gibbons.....	February 2, 1896.
John Fishburn.....	February 13, 1896.
R. D. Babcock.....	March 1, 1896.
Thos. C. Powell.....	April 11, 1896.
Bert Widlake.....	April 18, 1896.
N. Schwabacher.....	May 24, 1896.
R. Tobin.....	June 6, 1896.
Wm. Keppler.....	June 18, 1896.
Douglas McComble.....	July 28, 1896.
Wm. Colley.....	September 25, 1896.
Geo. Kenyon.....	September 25, 1896.

EDWARD ALBERTSON was sentenced December 14, 1891, by the superior judge of Pierce county to imprisonment in the state penitentiary for the term of ten years for the crime of grand larceny. Commutation of sentence for the term ending February 14, 1897, on recommendation of the trial judge, prosecuting attorney and a number of prominent citizens.

The reason for granting this commutation is the exceedingly valuable services rendered by Albertson in connection with the ascertainment of the defalcation of the late warden of the penitentiary, and the assistance rendered upon the trial of the case, which resulted in obtaining a judgment of \$10,000 on the warden's bond. The prosecuting attorney of Walla Walla county in recommending pardon gave it as his opinion that without Albertson's assistance no judgment could have been obtained, and the assistant attorney general, who also recommended pardon, stated in part as follows:

"In the course of that trial I had occasion to note the service of Albertson to the state in the preparation and trial of its case, and I am of the opinion that Albertson's expert services to the state in disentangling the threads of that exceedingly difficult case amounted to what would have cost the state several hundred dollars if it had been obliged to pay for similar expert services. I might add that but for Albertson's fidelity and zeal, the case of the state would, in my opinion, have been seriously crippled and I doubt whether other expert evidence in lieu of his would have been of any value."

Taking into consideration the regular deductions for good behavior earned by Albertson the term was shortened exactly one year.

The secretary read the following communication from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, January, 1897.

The President of the Senate:

SIR—I am directed by the governor to transmit to you, for the use of the Senate, forty copies of each of the following enumerated reports:

State Auditor.

State Treasurer.

Commissioner of Public Lands.

State Capitol Commission.

Dairy Commissioner.

State University.

State Penitentiary.

State Librarian.

State Fair Commission.

Agricultural College and School of Science.

Board of State Land Commissioners.

Western Washington Hospital for the Insane.

Eastern Washington Hospital for the Insane.

State Board of Horticulture.

State Grain Inspector.

Commissioner of Arid Lands.

Superintendent of Public Instruction.

State Soldiers' Home.

Fish Commissioner.

State Road Commissioners.

Pilot Commissioners.

Adjutant General.

School for Defective Youth.

State Reform School.

Report of Committee of Law Reform to State Bar Association, 1896.

The remaining reports will be transmitted as soon as received from the state printer.

Very respectfully,

E. C. MACDONALD,

Private Secretary.

INTRODUCTION OF BILLS.

Senate bill No. 3, by Senator Miller, of Thurston, "An act prohibiting the acceptance, using or tendering of free passes, franking privileges, or discrimination, in passenger, freight, telegraph and telephone rates, and declaring an emergency," was read the first time.

Senator Range moved that the rules be suspended, the bill read the second time by title, and referred to the Committee on Railroads.

Senator Wilson moved to amend by referring it to the Committee on Public Morals.

Senator Miller, of Thurston, moved to amend the amendment by referring it to the Committee on Corporations other than Municipal.

The amendment to the amendment carried, and the bill was referred to the Committee on Corporations other than Municipal.

Senate bill No. 4, by Senator Plummer, "An act to prevent coercion and blacklisting of employes," was read the first time.

On motion of Senator Plummer, the rules were suspended, the bill read second time by title, and referred to the Judiciary Committee.

Senate bill No. 5, by Senator Taylor, "An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington," was read the first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 6, by Senator Taylor, "An act amending section 20 of the Penal Code of the State of Washington, relating to the crime of rape," was read the first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 7, by Senator Taylor, "An act providing for the division of the state into congressional districts," was read the first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Privileges and Elections.

Senate bill No. 8, by Senator Taylor, "An act prohibiting advertising in matters of divorce," was read the first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 9, by Senator Plummer, "An act providing for the sale of real property to foreclosure liens created for internal improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency," was read the first time.

On motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 10, by Senator Miller, of Thurston, "An act regulating passenger rates upon all railroads within the state, and declaring an emergency," was read the first time.

On motion of Senator Miller, the rules were suspended, the bill was read the second time, and referred to the Committee on Corporations other than Municipal.

Senate Bill No. 11, by Senator Plummer, "An act to amend section 4 of an act entitled 'An act amending sections 356 and 361 of chapter 3, title 8; also sections 367, 379, 384, 385, 390 and 391 of chapter 3, title 8; also sections 397 and 401 of chapter 4, title 8; also sections 418 and 423 of chapter 5, title 8, vol. 1, Hill's Anno-

tated Codes and Statutes of Washington; also amending section 380, vol. 1, Hill's Annotated Codes and Statutes, as amended by section of chapter 91 of the Laws of 1893, in relation to elections, approved March 21, 1895,' and declaring an emergency," was read the first time.

On motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

Senate bill No. 12, by Senator Plummer, "An act to repeal an act entitled 'An act to authorize and regulate primary elections of voluntary political associations; to provide for the punishment of fraud therein, approved March 21, 1895,' and declaring an emergency," was read the first time.

On motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

Senate bill No. 13, by Senator Easterday, "An act in regard to assignments, satisfaction and cancellation of mortgages," was read the first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 14, by Senator Easterday, "An act prescribing the manner of service of summons, process, writ, pleading, notice or order, in civil actions or proceedings upon corporations," was read the first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 15, by Senator Easterday, "An act to repeal an act entitled 'An act creating and establishing municipal courts in cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks therefor, and declaring an emergency,' approved February 28, 1891, and all acts amendatory thereof, and abolishing the courts and offices thereby created," was read the first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 16, by Senator Easterday, "An act to amend sections 1075-76 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payments of debts of decedents," was read the first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 17, by Senator Easterday, "An act to amend sections one (1), two (2) and eight (8) of an act entitled 'An act fixing the salaries of justices of the peace and constables in incorporated cities and towns having more than five thousand (5,000) inhabitants, providing for the payment thereof, and providing for clerks, office quarters, books, blanks and stationery for the said offices, and declaring an emergency,' " was read the first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 18, by Senator Easterday, "An act to amend an act entitled 'An act relating to the duties of the state auditor, and declaring an emergency,' approved March 20, 1891, and declaring an emergency," was read the first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

The docket clerk not having arrived, on motion of Senator Megler, the office was declared vacant, and the Senate proceeded to a new election.

Senator Taylor nominated Miss Miriam Tannatt, who received 31 votes.

Those voting for her were: Senators Baum, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend.

Absent or not voting: Senators Cole, Frink, and Davis.

President Daniels administered the oath of office to Miss Tannatt, as docket clerk.

The following resolution was introduced by Senator Taylor:

Resolved, That all the employes of this Senate, other than clerks under the supervision of the secretary of the Senate, be required to report regularly to the sergeant-at-arms of the Senate, and be subject to his orders.

The resolution was adopted.

The following concurrent resolution was introduced by Senator Dorr:

Resolved, That a joint committee of two members of the Senate and three members of the House be appointed to visit and fully investigate the affairs of the state penitentiary at Walla Walla, and report the result to the legislature, now in session: *And be it further resolved*, That the governor be respectfully requested to lay before said committee all information and facts upon this subject which may be in his possession.

The resolution was adopted.

Senate bill No. 2 was read the third time.

On motion of Senator Houghton, the bill was made a special order for Monday at 2 o'clock P. M.

The president announced that he had appointed Senators Crow and Deckebach as the Committee on Rules.

On motion of Senator Crow, the committee was increased to five.

Senator Plummer introduced a petition for the relief of Moffatt Bros., contractors of the foundation of the state capitol building, for the sum of \$12,550.

On motion of Senator Houghton, the petition was laid on the table.

On motion of Senator Houghton, the Senate adjourned until tomorrow, January 15, 1897, at 2 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 15, 1897. }
2 o'clock P. M.

The Senate was called to order by President Daniels at 2 o'clock P. M., pursuant to adjournment.

The roll was called, showing all members present except Senators Cole and Hill, who were excused.

The chair announced Senators Crow, Deckebach, Houghton, Mo-Reavy and Taylor as the Committee on Rules.

On motion of Senator Miller, of Walla Walla, the reading of the journal of the previous day was dispensed with, and the journal approved.

The following resolution was introduced by Senator Crow:

Resolved, That the secretary of the Senate procure 2,000 copies of the inaugural address of Governor Rogers, and farewell address of retiring Governor McGraw, printed for the use of the Senate.

The resolution was adopted.

On motion of Senator Range, the petition for the relief of Mof-fat Bros., contractors of the foundation of the state capitol, presented by Senator Plummer, was taken from the table and referred to Committee on Claims and Auditing.

The following resolution was introduced by Senator Harper:

Resolved, That the sergeant-at-arms be and he is hereby instructed to have the names of the members of the Senate printed in large type on card board, and tacked on the desks.

The resolution was adopted.

The Committee on Rules made the following report:

REPORT OF COMMITTEE ON RULES.

MR. PRESIDENT:

We, your Committee on Rules of the Senate, respectfully report and recommend as follows:

The rules of the Senate adopted in the session of 1895 be adopted as the permanent rules of this Senate, with the following amendments:

To rule six—Increase the Committee on Agriculture from three to five; the Committee on Constitution and Constitutional Revision, from three to seven; County and County Boundaries, three to five; Election and Privileges, from three to five; Fisheries, from three to seven; Irrigation and Arid Lands, three to five; Mines and Mining, three to seven; Municipal Corporations, five to seven; and as thus amended, rule six be adopted.

That rule twenty-six be amended in line two thereof by striking out "fifteen" after the word "least" and inserting "twenty," so that no bill shall be considered unless the time of its introduction shall have been at least twenty days before the final adjournment of the Senate, unless the Senate shall otherwise direct by a two-thirds vote.

That rule twenty-eight be amended by inserting after the word "day," in the fourth line, "or on the next succeeding day," so that the rule as amended will provide that a motion to reconsider may be given on the same day or the next succeeding day after the final vote has been taken on the proposition.

That rule sixty-one be amended by striking out in the first line "within the Senate chamber" and inserting in lieu thereof, after the word "allowed," "on the upper floor of the capitol building, except in room six." The purpose of this change is to prevent smoking, which is offensive to so many members, in and about the Senate, and confining the smoking to the room adjourning the room of the sergeant-at-arms.

As thus amended, we, your committee, recommend the adoption of the rules of the session of the Senate of 1895.

L. C. CROW, Chairman.

E. W. TAYLOR.

JOHN McREAVY.

F. G. DECKEBACH.

H. E. HOUGHTON.

The report was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 19, by Senator Plummer, "An act to protect manufacturers, bottlers and dealers in ale, porters, lager beer, soda, mineral waters, and other beverages, from the loss of their casks, barrels, kegs, bottles and boxes," was read first time.

On motion of Senator Plummer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Commerce.

Senate bill No. 20, by Senator Taylor, "An act to amend sections 3122 and 3124, of volume 1, Hill's Annotated Code of Washington, relating to laborer's liens and claims," was read first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 21, by Senator Taylor, "An act amending section 2411, volume 1, Hill's Annotated Code of Washington, in relation to an act for bond for contractors for security of laborers," was read first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 22, by Senator Taylor, "An act providing for a lien for employes," was read first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 23, by Senator Range, "An act to validate mar-

riages solemnized by a competent person or persons, in the presence of witnesses, and declaring an emergency," was read first time.

On motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 24, by Senator Taylor, "An act relating to negligence," was read first time.

On motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 25, by Senator Range, "An act defining false pretenses, fixing the punishment, and declaring an emergency," was read first time.

On motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 26, by Senator Easterday, "An act to amend section 463, of volume 1, Hill's Annotated Statutes and Codes of Washington, in regard to furnishing election officers with registration books," was read first time.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

Senator Reinhart moved that all religious ceremonies be dispensed with during business hours.

The roll call was demanded. The motion was lost by the following vote: Ayes 4, noes 20.

Ayes: Senators Hall, Megler, Miller T. J., and Reinhart — 4.

Noes: Senators Baum, Crow, Deckebach, Dorr, Frink, Harper, High, Houghton, Lesh, Lewis, McReavy, Miller David, Paul, Range, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 20.

Absent or not voting: Senators Davis, Easterday, Field, Keith, Plummer, Pusey, Warburton, Wooding, Hill, and Cole — 10.

Senate concurrent resolution No. 6, was introduced by Senator Runner, "Relative to the printing of the rules of the Senate, rules of the House and joint rules."

The resolution, as amended by Senators Easterday and Megler, was adopted.

Senate bill No. 27, by Senator Range, "An act providing that

claims for damages, wages, materials and supplies, shall constitute and be a first lien on all corporation property, where the corporation becomes insolvent," was read first time.

On motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate memorial No. 1, by Senator Miller, "Relative to matter of public lands."

The memorial was read the first time, and referred to the Committee on Memorials.

The president announced the following standing committees:

OLYMPIA, WASH., January 15, 1897.

To the Senate of the State of Washington:

GENTLEMEN—I have the honor to herewith submit the following list of standing committees:

Agriculture.—Senators Hall, Hill, High, Miller David, and Van Patten.

Appropriations.—Senators High, Baum, Runner, Keith, Megler, Miller T. J., and Dorr.

Claims and Auditing.—Senators Range, Wilson, Crow, Davis, and Warburton.

Commerce.—Senators Reinhart, High, and McReavy.

Constitution and Constitutional Revision.—Senators Miller T. J., Taylor, Miller David, Range, Hall, Plummer, and Harper.

Counties and County Boundaries.—Senators Pusey, Paul, Field, Warburton, and Yeend.

Corporations other than Municipal.—Senators Crow, Baum, Dorr, Runner, Miller David, Van Patten, and Miller T. J.

Dikes, Drains, and Drainage.—Senators Harper, Reinhart, and McReavy.

Education.—Senators Keith, Pusey, Crow, Lesh, and Field.

Educational Institutions.—Senators Miller David, Cole, Frink, Van Patten, and Paul.

Elections and Privileges.—Senators Plummer, Frink, Taylor, Paul, and Davis.

Engrossed Bills.—Senators Megler, Range, and Cole.

Enrolled Bills.—Senators Houghton, Yeend, and Deckebach.

Fisheries.—Senators Keith, Dorr, Davis, Megler, High, Runner, and McReavy.

Harbor and Harbor Lines.—Senators Deckebach, Lesh, Reinhart, Pusey, and Van Patten.

Irrigation and Arid Lands.—Senators Runner, Lesh, Baum, Yeend, and Crow.

Judiciary.—Senators Easterday, Washburn, Plummer, Taylor, Houghton, Dorr, Wilson, Lewis, and Warburton.

Labor and Labor Statistics.—Senators Davis, Wooding, and Miller David.

Manufactures.—Senators Frink, McReavy, and Harper.

Medicines, Dentistry, Hygiene, and Surgery.—Senators Warburton, Wilson, and Hill.

Memorials.—Senators Field, Lewis, and Yeend.

Military.—Senators Washburn, Davis, Megler, Cole, and Runner.

Mines and Mining.—Senators Baum, Davis, Keith, Pusey, and Field.

Municipal Corporations.—Senators Lesh, Houghton, Pusey, Keith, Paul, Miller T. J., and Van Patten.

Printing.—Senators Cole, Deckebach, Houghton, Reinhart, and Washburn.

Public Buildings and Grounds.—Senators McReavy, Crow, Houghton, Cole, and Wooding.

Public Morals.—Senators Van Patten, Washburn, and Field.

Public Revenue and Taxation.—Senators Taylor, Baum, Hill, Hall, Lewis, Deckebach, Yeend, Miller T. J., and Field.

Roads and Bridges.—Senators Hill, High, Lewis, Plummer, Megler, Warburton, and McReavy.

Rules and Joint Rules.—Senators Wooding, Easterday, and Reinhart.

Salaries and Mileage.—Senators Miller David, Plummer, Lesh, Hall, and Easterday.

State Charitable Institutions.—Senators Dorr, Runner, High, Frink, and Harper.

Senate Employes other than Regular.—Senators Paul, Hall, Range, Harper, and Hill.

State, Granted, School, and Tide Lands.—Senators Crow, Megler, Easterday, Plummer, Lesh, Miller David, and Wooding.

State Library.—Senators Wilson, Easterday, and Range.

State Penal and Reformatory Institutions.—Senators Yeend, Taylor, Deckebach, Hill, and Washburn.

Respectfully submitted.

THURSTON DANIELS,
President of the Senate.

On motion of Senator Dorr, the president appointed the following committee of five to group the standing committees, in order that each committee clerk may act as the clerk of several committees: Senators Dorr, Keith, Lesh, McReavy, and Miller T. J.

Senate memorial No. 2, by Senator T. J. Miller, "Relative to wagon roads," was read the first time, and referred to Committee on Memorials.

Senate bill No. 28, by Senator Davis, "An act defining false pretenses, fixing the punishment, and declaring an emergency," was read the first time.

On motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

On motion of Senator High, the Senate adjourned until Monday, January 18, 1897, at 2 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

EIGHTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 18, 1897. }
2 o'clock P. M.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senator Taylor.

The journal of Friday was read and approved.

The president announced that the time had arrived for considering Senate bill No. 2, by Senator Miller, "An act directing the state treasurer to invest certain moneys in the tide land fund in general warrants, and declaring an emergency."

Senator Easterday offered an amendment for section 1, as follows:

Page 1, printed bill, line 1, after word "invest," strike out "the sum of sixty thousand dollars (\$60,000) of the tide land funds," and insert "all moneys."

Line 2, after word "or," strike out "so much thereof as shall be equal to the expenses of the fifth session of the legislature of the State of Washington," and insert "which shall come into his hands prior to the first day of January, 1899, belonging to the tide land fund."

Line 4, after the word "state" insert "to be," and after the word "issued" strike out "in payment of the expenses of said session of the legislature," and insert the word "hereafter."

Line 5, after the word "thereof" insert "without regard to interest due thereon."

The section, as amended, was adopted.

On motion of Senator Lewis, section 2 was stricken out.

Senator Lewis offered a substitute striking out section 3 and inserting in lieu thereof "This act shall take effect immediately."

The substitute was lost.

Senator Lewis offered the following resolution:

Resolved, That Senate bill No. 2 be referred to the Judiciary Committee with the request that it report thereon Wednesday morning.

The resolution was lost.

The bill was read the third time in full, rules suspended, considered engrossed, placed on its passage, and passed by the following vote: Ayes 19, noes 13, absent or not voting 2.

Ayes: Senators Baum, Crow, Cole, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, and Yeend—19.

Noes: Senators Deckebach, Dorr, Hall, Harper, Lesh, Lewis, Megler, Pusey, Range, Warburton, Washburn, Wilson, and Wooding—13.

Absent or not voting: Senators Frink and Taylor—2.

The emergency clause was passed by the following vote: Ayes 25, noes 7, absent or not voting 2.

Ayes: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Washburn, and Yeend—25.

Noes: Senators Deckebach, Hall, Harper, Lewis, Warburton, Wilson, and Wooding—7.

Absent or not voting: Senators Frink and Taylor—2.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Keith, Senate bill No. 1 was taken from the table.

Senator Lewis moved that the name of Senator Wilson, as the

author of the bill, be stricken out, and the name of Senator David Miller substituted for it.

Senator Range moved to amend the amendment by striking out the name of the author and inserting "the committee of the whole."

The amendment was laid on the table.

On motion of Senator Range, the bill was taken from the table.

The bill was read the third time by sections, considered engrossed, and placed on its final passage, and passed by the following vote: Yeas 28, nays 2, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Cole, Deckebach, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, and Yeend — 28.

Those voting nay were: Senators Dorr and Wilson — 2.

Absent or not voting: Senators Davis, Pusey, Taylor, and Wooding — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hall gave notice that he would move to reconsider the vote by which Senate bill No. 2 was passed on the second day.

Senator Hall withdrew his notice.

Senator Range moved that Senate bills Nos. 1 and 2 be engrossed and sent to the House.

The motion was carried.

Senate concurrent resolution No. 7, by Senator Range, was introduced, as amended by Senator Lewis, as follows:

Resolved by the Senate, the House concurring. That the Committee on Appropriations prepare and introduce the general appropriation bill on or before Thursday, February 11, 1897, and that the appropriations be itemized agreeably with the governor's message.

The resolution failed of adoption.

The following resolution, introduced by Senator Dorr, was adopted:

Resolved, That A. B. Cowles be allowed for his services and attendance as acting secretary of the Senate, the first and second days of this session, the sum of \$10. The president and secretary are hereby authorized to draw a warrant for said sum in favor of said A. B. Cowles.

The committee appointed to group the standing committees reported as follows:

REPORT OF THE SPECIAL COMMITTEE ON GROUPING THE
COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 18, 1897.

To the Honorable President and Members of the Senate:

Your special committee appointed to group the standing committees for the assignment of clerks and the expedition of business, beg leave to report as follows:

That we have arranged the standing committees (not including the Committees on Engrossed Bills and Enrolled Bills) in eight groups, as follows:

Group 1. Judiciary.

Group 2. Appropriations; Claims and Auditing; Public Revenue and Taxation.

Group 3. Agriculture; Commerce; Irrigation and Arid Lands; Manufactures; State Library.

Group 4. Counties and County Boundaries; Education; Municipal Corporations; Printing; State, Granted, School and Tide Lands.

Group 5. Dykes, Drains and Drainage; Fisheries; Mines and Mining; Public Buildings and Grounds; State Charitable Institutions.

Group 6. Corporations other than Municipal; Elections and Privileges; Roads and Bridges; Senate Employes other than Regular.

Group 7. Constitution and Constitutional Revision; Harbors and Harbor Lines; Labor and Labor Statistics; Medicine, Dentistry, Hygiene and Surgery; Rules and Joint Rules.

Group 8. Educational Institutions; Memorials; Public Morals; Salaries and Mileage; State Penal and Reformatory Institutions.

We further recommend that the republicans be allowed to select four of the eight clerks, and that the fusionists be allowed to select four of the clerks. And the respective chairmen of each group select the clerk for the group.

We also recommend, that in the absence or inability to act of any chairman of a standing committee, that the next senator named on the committee shall act as temporary chairman of that committee, and so on, in the order that their names appear upon the committees.

We also recommend that the times and places of meeting be arranged by the several committees.

Very respectfully submitted.

C. W. DORR, Chairman.

JOHN McREAVY,

THOS. J. MILLER,

E. C. KEITH,

D. E. LESH,

Committee.

A motion by Senator Range, striking out that portion of the report relative to the choosing of clerks by the two different parties, was lost, and the report adopted.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 16, 1897.

Secretary of the Senate, Olympia, Washington:

DEAR SIR—Governor Rogers directs me to inform you that he has this day transmitted to the Senate for use of the members forty copies each of the state treasurer's and state auditor's biennial reports to the legislature, session of 1897.

Very respectfully, J. E. BALLAINE, Private Secretary.

President Daniels administered the oath of office to the bill clerk, Miss Annie Morgan.

Senator Keith moved that the assistant journal clerk be sworn in.

Senator David Miller moved, as an amendment, that all of the assistant clerks be sworn in.

The amendment and the original motion were lost.

INTRODUCTION OF BILLS.

Senate bill No. 29, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salaries of the supreme court judges.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 30, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salary of the governor.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 31, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salary of the auditor.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 32, by Senator High: An act to repeal certain parts of an act relating to the public lands of the state, said act being chapter 173, Session Laws of 1895—survey, management, lease and disposition of the state's granted, tide, oyster, and other lands, and harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of state land commissioners, defining their duties, and authorizing them to act as the commission provided for in article 15 of the state constitution, and declaring an emergency.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 33, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salary of the secretary of state.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 34, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salary of the treasurer.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 35, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salary of the attorney general.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 36, by Senator High: An act providing for a constitutional amendment, relating to the reduction of the salary of the superintendent of public instruction.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by

title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 37, by Senator T. J. Miller: An act to make warrants receivable for certain taxes, limiting their issue, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 38, by Senator T. J. Miller: An act for the payment of outstanding indebtedness, the establishment of a current expense fund, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 39, by Senator Crow: An act to repeal an act authorizing actions against the state, approved March 20, 1895.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 40, by Senator Range: An act to repeal an act entitled "An act to amend an act entitled 'An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuing, service and return of process issued by justices of the peace, and to provide for the service and return of summons and notice and complaint issued by justices of the peace, by persons other than sheriffs and constables.'"

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 41, by Senator Range: An act to punish officers and stockholders of any bank in this state, who shall borrow money from such bank, or shall overdraw their account with such bank, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to Committee on Engrossed Bills.

Senate bill No. 42, by Senator Easterday: An act amending

chapter 124 of the Laws of 1893, entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, ordered not to be printed, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 43, by Senator Cole: An act creating a board of state supervisors, defining its duties, etc.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 44, by Senator Houghton: An act to provide for the appointment of counsel to defend pauper criminals.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 45, by Senator Houghton: An act to enable and authorize certain moneyed corporations to assume certain liabilities, to be executors, administrators and trustees of estates, to act as guardians, to become surety for any person or purpose, depositories of money paid into court, and for other purposes.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

The following resolution was introduced by Senator Crow:

Resolved, That a committee of three be appointed by the president for the purpose of securing committee rooms.

The resolution was adopted.

The secretary read the following communication from Bancroft-Whitney Company:

SEATTLE, WASH., January 18, 1897.

To the Honorable Senate of the State of Washington:

The undersigned having prepared and will soon publish a new and improved Code of the State of Washington, has on hand a limited number of copies of the Hill's Code in pamphlet form sufficient for the use of each member of the present legislature which will be practically valueless to us after the publication of our new code. We would, therefore, respectfully tender said copies to this body and to the Senate for use during the present session.

Respectfully,

BANCROFT-WHITNEY COMPANY.

Senator Plummer moved to refer the communication to the Judiciary Committee.

The motion was amended by Senators Houghton and Easterday by accepting the offer, and tendering the thanks of the Senate to the Bancroft-Whitney Company.

The motion, as amended, was carried.

On motion of Senator Range, the report of the grouping committee was ordered printed.

The following notice was read by the secretary:

In pursuance of the report of the committee on committee clerks adopted by the Senate, the Senate is hereby notified that Miss S. E. Jackson has been selected and employed as clerk of the Committee on Judiciary during the present session of the legislature.

C. M. EASTERDAY,
Chairman of Committee on Judiciary.

The president announced Senators Crow, T. J. Miller and Deckebach as the committee to secure committee rooms.

President Daniels called Senator T. J. Miller into the chair.

Senator Range moved that the Senate adjourn until to-morrow at 10 o'clock A. M.

President Daniels resumed the chair.

The president announced the following changes in the standing committees:

Senator Frink on Committee on Public Revenue and Taxation, in the place of Senator Deckabach.

Senator Paul on the Committee on Appropriations, in the place of Senator Megler, and Senator Megler on the Committee on Counties and County Boundaries.

Senator David Miller on the Committee on Municipal Corporations, in the place of Senator T. J. Miller, and Senator T. J. Miller on the Committee on Labor and Labor Statistics.

Senator Plummer on Committee on Municipal Corporations in the place of Senator Van Patten, and Senator Van Patten on Committee on State, Granted, School and Tide Lands.

Senator Plummer on Committee on Military in the place of Senator Davis, and Senator Davis on Committee on Roads and Bridges in place of Senator Plummer.

On motion of Senator Crow, the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 19, 1897. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, showing all members present.

The journal of yesterday's proceedings was read and approved.

Senate memorial No. 3, by Senator Van Patten, "To the Senate and House of Representatives of the United States," was read the first time; and, on motion of Senator Van Patten, as amended by Senator Wilson, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

INTRODUCTION OF BILLS.

Senate bill No. 46, by Senator Plummer: An act for the relief of Thomas Delaney.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 47, by Senator Plummer: An act regarding the recovery of damages for negligence causing death.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 48, by Senator Plummer: An act regarding the liability of railroad corporations for injuries sustained by employes thereof.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 49, by Senator Plummer: An act to amend section 1662 of the second volume of Hill's Annotated Code of Washington, in regard to the discovery of facts and documents by interrogatories.

The bill was read the first time; and, on motion of Senator

Plummer, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 50, by Senator Wooding: An act regulating and making it lawful for any farmer, gardener or other persons to peddle, sell or deliver, free from all license, in any part of the state, and upon any day, except Sunday, all fruits, vegetables, or other farm or garden produce, and other eatables, making all ordinances in conflict void, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the constitution of the State of Washington, embodying the right of woman suffrage.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 52, by Senator Van Patten: An act to confer certain powers upon certain benevolent or charitable institutions or corporations incorporated under the laws of the State of Washington.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 53, by Senator Dorr: An act to fix the place of residence of the attorney general of the State of Washington, and declaring an emergency.

The bill was read the first time, and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

The committee on joint rules presented the following report:

We, your committee on joint rules, on the part of the Senate beg leave to submit the following concurring report:

We recommend the adoption of the joint rules governing the fourth session, without change.

L. C. CROW, Chairman,
F. G. DECKEBACH,
On part of Senate.

JAS. HUGH ROSS,
SOLON T. WILLIAMS,
G. B. RICHMOND,
On part of House.

The report was adopted.

Senator McReavy announced that Frank J. Kinghorn had been appointed committee clerk of group 5.

Senator Hall announced that C. E. Maxfield had been appointed as clerk of group 3.

At 11 o'clock A. M., on motion of Senator Deckebach, the Senate took a recess until 11:45 o'clock A. M.

President Daniels called the Senate to order at 11:45 o'clock A. M. The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 18, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 2, by Senator T. J. Miller, entitled "An act directing the state treasurer to invest certain moneys in the tide land fund in the general warrants, and declaring an emergency," and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

Senator Taylor was excused for being absent yesterday.

On motion of Senator Crow, the Senate proceeded to ballot on the election of a United States senator.

Senator Crow nominated Thurston Daniels.

The nomination was seconded by Senator High.

Senator Keith placed George Turner in nomination.

Senators McReavy and Easterday seconded the nomination.

Senator Washburn nominated Arthur A. Denny.

The nomination was seconded by Senators Frink and Lesh.

Senator Yeend nominated Clark Davis.

Senator Cole placed Frank R. Baker in nomination.

Senator Plummer nominated Senator J. W. Range.

On roll call, the vote resulted as follows:

For Thurston Daniels: Senators Crow, Field, High, Hill, Miller David, Miller T. J., Reinhart, Runner, Taylor, and Van Patten — 10.

For George Turner: Senators Baum, Easterday, Houghton, Keith, McReavy, and Paul — 6.

For Arthur A. Denny: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Warburton, Washburn, Wilson, and Wooding — 13.

For Clark Davis: Senator Yeend.

For Frank R. Baker: Senator Cole.

For J. W. Range: Senators Davis and Plummer — 2.

Senator Range voted for Senator J. A. Davis.

On motion of Senator Plummer, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senator Easterday, and Senator Deckebach, who was excused.

Senator Van Patten announced that H. L. Bowmer had been selected as committee clerk of group No. 8.

Miss Anna G. McEachern was announced as clerk for group No. 7.

Senator Crow announced that Edward Johnston had been selected as clerk for group No. 6.

J. O. Wing was announced as clerk of group No. 2.

John G. Boyle was announced as clerk of group No. 4.

President Daniels administered the oath of office to the following committee clerks: F. J. Kinghorn, Miss S. E. Jackson, H. L. Bowmer, Edward Johnston, John G. Boyle, C. E. Maxfield, Anna G. McEachern and J. O. Wing.

The committee on committee rooms presented the following report:

MR. PRESIDENT:

We, your committee to select rooms for committee meetings, beg leave to report that we recommend the renting of five rooms in the Chambers' block, corner of Fourth and Main streets, at a monthly rental of sixty-five (\$65) dollars. This includes heat, light and janitor work.

The rooms are centrally located, and very comfortable; all of which is respectfully submitted.

L. C. CROW, Chairman.

THOS. J. MILLER.

Senator Crow moved to adopt the report.

Senator Taylor moved to lay the report on the table until tomorrow.

On roll call, the motion was carried by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Dorr, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, Megler, Miller David,

Paul, Range, Reinhart, Taylor, Warburton, Washburn, Wilson, and Yeend — 21.

Those voting nay were: Senators Davis, Houghton, McReavy, Miller T. J., Plummer, Runner, and Van Patten — 7.

Absent or not voting: Senators Deckebach, Baum, Easterday, Lesh, Pusey, and Wooding — 6.

INTRODUCTION OF BILLS OUT OF THEIR ORDER.

Senate bill No. 54, by Senator Houghton: An act to appropriate five thousand dollars to repair damages caused by boiler explosion at the Eastern Washington hospital for the insane.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

On motion of Senator Plummer, the Senate resolved itself into the committee of the whole, to consider Senate bill No. 54.

The bill was considered in the committee, Senator Plummer in the chair, and reported back to the Senate with the following amendments:

After the word “appropriated” strike out the words “five thousand,” and insert “two thousand five hundred,” and after the word “dollars” insert “or as much thereof as may be necessary.”

The bill was read the third time, considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, and Wilson — 27.

Absent or not voting: Senators Deckebach, Easterday, Lesh, Pusey, Taylor, Wooding, and Yeend — 7.

The title of the bill was changed to read as follows: An act appropriating two thousand five hundred dollars, or as much thereof as may be necessary, to repair damages caused by boiler explosion at the Eastern Washington hospital for the insane.

Senate bill No. 55, by Senator Range: An act to create a home for the care of orphans, half orphans, foundlings and destitute children, and to provide for its maintenance.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Charitable Institutions.

Senate bill No. 56, by Senator T. J. Miller: An act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same, and for using counterfeits of the same.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and the bill referred to the Committee on Labor and Labor Statistics.

On motion of Senator Plummer, the Senate adjourned until 11:30 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 20, 1897. }
11:30 o'clock A. M.

President Daniels called the Senate to order at 11:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 20, 1897.

MR. PRESIDENT:

The House has passed House memorial No. 1, by Mr. A. S. Bush: A memorial relating to the election of United States senators by a direct vote of the people, etc.; and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 20, 1897.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 10, substitute for No. 3, by Mr. Warner: An act relating to the appointment of a special investigating committee, to proceed to Walla Walla and investigate the affairs of that institution; and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 19, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 1, by Senator Wilson, entitled "An act for the purpose of appropriating \$50,000 for the payment of the salaries of members and employes, and other expenses, of this session of the legislature;" and the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

Chairman Roberts, of the committee from the House, informed the Senate that the House desired to meet the Senate in joint session at 12 o'clock m., to ballot for United States senator.

The journal of yesterday's proceedings was read and approved.

The Committee on Engrossed Bills presented the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., January 20, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bills Nos. 1 and 54, for engrossment, have had the same engrossed, and we respectfully report the same back to the Senate.

Respectfully submitted.

J. G. MEGLER, Chairman.

INTRODUCTION OF BILLS.

Senate bill No. 57, by Senator McReavy: An act proposing an amendment to section 39 of article 2 of the constitution, and providing for the submission thereof to the qualified electors of this state for approval at the next general election to be held in November, 1898.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 58, by Senator Taylor: An act relating to the sale and disposal of intoxicating liquors.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 59, by Senator Range: An act to validate marriages solemnized before witnesses by a competent person or persons, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

On motion of Senator Dorr, the Senate retired to the House of Representatives, at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

The Senate and House, assembled in joint session in the House of Representatives, were called to order by President Daniels at 12 o'clock m.

The secretary called the roll of the Senate, and the clerk called the roll of the House; all of the Senators and Representatives being present except Representative Williams, who was excused.

The secretary read the Senate journal, and the clerk read the House journal, relative to the balloting for United States senator on the previous day; both of which were approved.

The record showing that no candidate had, on the previous day, received a necessary majority, a joint ballot was ordered on the election of a United States senator.

Senator Plummer, president pro tem. of the Senate, was called to the chair to preside over the joint session.

FIRST JOINT BALLOT.

The joint ballot of the Senate and House was called.

The following voted for Hon. Clark Davis: Carr, Day, Gilkey, Hodgdon, Koehler, Mitchell, Range, and Yeend — 8.

The following voted for Hon. Thurston Daniels: Bush C. P., Crow, Edwards J. M., Field, Freeman, High, Hill, Mathiot, Miller David, Moore, Runner, Taylor, and Van Patten — 13.

The following voted for Hon. George Turner: Baum, Bush A. S., Easterday, Fritz, Geraghty, Hagadorn, Houghton, Johnston, Keith, Mentzer, McAtee, McReavy, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, and Wolf — 19.

Representative Conine voted for Mr. Wm. A. Newell.

The following voted for Hon. Watson C. Squire: Likins and Merrifield — 2.

The following voted for Hon. F. R. Baker: Cole, de Mattos, Edwards J. O., Forbes, Kincaid, Ross, and Smith P. M. — 7.

The following voted for Hon. L. E. Rader: Baker S. W., Davis, Jory, Phelps, Smith C., and Smith H. D. — 5.

Senator Plummer voted for Senator Range.

Representative Canutt voted for Hon. G. W. Thompson.

The following voted for Charles E. Cline: Couch, Hargrave, Hooper, Irvin, Lindstrom, Lusher, Mohundro, Parker, Richmond, Tobiassen, Warner, and Witt — 12.

The following voted for Hon. Arthur A. Denny: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymour, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Representative F. R. Baker voted for Hon. George McCready.

The following voted for Hon. Richard Winsor: Caywood, Hansen, Hicks, Miller T. J., Pierson, Way, Wilkeson, Windust, and Winsor — 9.

Representative Land voted for W. R. Andrews.

Representative Nelson voted for Hon. Lewis Foss.

Speaker Cline voted for Mr. Witt.

Senator Reinhart voted for E. H. Westcott.

Representative Gerry voted for Hon. N. T. Caton.

None of the candidates having received the necessary majority to elect, the president instructed the clerk to call the roll on the second joint ballot for United States senator.

SECOND JOINT BALLOT.

The following voted for the Hon. Clark Davis: Carr, Day, Edwards J. O., Gerry, Gilkey, Hodgdon, Koehler, Mitchell, Range, Smith H. D., and Yeend — 11.

The following voted for Hon. Thurston Daniels: Bush C. P., Crow, Edwards J. M., Field, Freeman, High, Hill, Mathiot, Miller David, Moore, Runner, and Van Patten — 12.

The following voted for Hon. George Turner: Baum, Bush A. S., Easterday, Fritz, Geraghty, Hagadorn, Houghton, Johnston, Keith, Mentzer, McAtee, McReavy, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, and Wolf — 19.

Representative Conine voted for Mr. Newell.

The following voted for Hon. Watson C. Squire: Likins and Merrifield — 2.

The following voted for Hon. F. R. Baker: Cole, Davis, de Matos, Forbes, Kincaid, Ross, and Smith P. M. — 7.

The following voted for Hon. L. E. Rader: Baker S. W., Jory, Phelps, Reinhart, and Smith C. — 5.

Senator Plummer voted for Senator Range.

The following voted for Hon. Charles E. Cline: Canutt, Couch, Hargrave, Hooper, Irvin, Lindstrom, Lusher, Mohundro, Parker, Richmond, Tobiassen, Warner, and Witt — 13.

The following voted for Hon. Arthur A. Denny: Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 25.

The following voted for Hon. Richard Winsor: Caywood, Hansen, Hicks, Miller T. J., Pierson, Way, Wilkeson, Windust, and Winsor — 9.

Representative Land voted for Hon. W. R. Andrews.

Representative Nelson voted for Lewis Foss.

Speaker Cline voted for Mr. Witt.

Representative F. R. Baker voted for Senator Davis.

Senator Taylor voted for Mr. John Smith.

None of the candidates having received the necessary majority to elect, the president declared that there was no election, and the clerk was ordered to call the roll for another joint ballot.

THIRD JOINT BALLOT.

The following voted for Hon. Clark Davis: Carr, Day, Gilkey, Hodgdon, Koehler, Mathiot, Mitchell, Range, and Yeend — 9.

The following voted for Hon. Thurston Daniels: Bush C. P., Cole, Crow, Edwards J. M., Edwards J. O., Field, Freeman, High, Hill, Moore, Runner, and Van Patten — 12.

The following voted for Hon. George Turner: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Hagadorn, Hansen, Houghton, Johnson, Keith, Mentzer, McAtee, McReavy, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, and Wolf — 21.

The following voted for Hon. Watson C. Squire: Likins and Merrifield — 2.

The following voted for Hon. F. R. Baker: Forbes, Hicks, Kincaid, Ross, and Smith P. M.— 5.

The following voted for Hon. L. E. Rader: Baker S. W., Jory, Phelps, Smith C.— 4.

The following voted for Hon. Charles E. Cline: Canutt, Conine, Couch, Hooper, Irvin, Lindstrom, Lusher, Mohundro, Parker Richmond, Smith H. D., Sims, Tobiassen, Warner, and Witt— 15.

The following voted for Hon. Arthur A. Denny: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

The following voted for Hon. Richard Winsor: Caywood, Gerry, Miller T. J., Pierson, Reinhart, Way, Wilkeson, Windust, and Winsor — 9.

The following voted for Hon. W. R. Andrews: Land and Plummer — 2.

Representative Nelson voted for Hon. Lewis Foss.

Speaker Cline voted for Mr. Witt.

Representative F. R. Baker voted for Senator J. A. Davis.

Representative de Mattos voted for John R. Rogers.

The following voted for Hon. M. M. Godman: Miller David and Taylor — 2.

No candidate having received a majority of the votes necessary to elect, the president declared that there was no election.

On motion of Representative de Mattos, the joint session adjourned.

President Daniels called the Senate to order at 12:50 o'clock P. M.

On motion of Senator Crow, the Senate adjourned until 10:30 o'clock A. M., tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

ELEVENTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 21, 1897. }
10:30 o'clock A. M.

President Daniels called the Senate to order at 10:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of yesterday's proceedings was read and approved.

The Judiciary Committee submitted the following reports.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,
OLYMPIA, WASH., January 19, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 8, entitled "An act prohibiting advertising in matters of divorce," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: That the title of said act be amended to read as follows: "An act prohibiting advertisements soliciting business in matters of divorce."

In printed bill, in section 1, line 5, strike out the word "offering" after the word "or."

That section 2 of said act be amended to read as follows: Any person convicted of the violation of the provisions of section 1 of this act, shall be punished by fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not more than six months.

And that as so amended, said act do pass.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Concurred in by Senators Taylor, Dorr, Houghton, and Plummer.

SENATE CHAMBER,
OLYMPIA, WASH., January 19, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act to amend sections 1075-76 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Concurred in by Senators Taylor, Plummer, and Houghton.

SENATE CHAMBER,

OLYMPIA, WASH., January 19, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 13, entitled "An act in regard to assignments and satisfaction and cancellation of mortgages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: That the title of said act be amended to read as follows: "An act relating to assignments and satisfaction of mortgages." In section 1 of the printed bill, strike out all of lines 7 and 8, after the word "record," in line 7. In section 2 of the printed bill, strike out the last six words of line 3, being the words "entitling the assignment to be recorded." And that, as so amended, said act do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Concurred in by Senators Taylor, Dorr, Plummer, and Houghton.

On motion of Senator Easterday, the report was adopted.

The following reports were received from the Committee on Enrolled bills, and placed on file:

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., January 21, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 2, entitled "An act directing the state treasurer to invest certain moneys in the tide land fund in general warrants, and declaring an emergency," have had the same under consideration, and we respectfully report back to the Senate that it is correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

SENATE CHAMBER,

OLYMPIA, WASH., January 21, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 1, entitled "An act appropriating the sum of fifty thousand dollars for the payment of the salaries of members and employes and other expenses of the session of the legislature," have had the same under consideration, and we respectfully report back to the Senate that it is correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

The chief clerk of the House read the following message from the House:

RECEIVED
JAN 21 1897

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 20, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 23, entitled "An act making an appropriation to continue the operation of the state salmon hatcheries," and the same is herewith transmitted to the Senate for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

The secretary read the following message from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, January 21, 1897.

President of the Senate, Olympia, Wash.:

SIR—I herewith transmit to the Senate communications from Robert Bridges, commissioner of public lands, accompanied by a legal opinion from the attorney general.

The funds appropriated two years ago for clerical and engineering work in the land department were exhausted, except 82 cents, before the new commissioner assumed his official duties.

I recommend that such legislative action be taken as will enable him to perform the duties required by law.

Very respectfully, J. R. ROGERS, Governor.

Senator Easterday moved to refer the communication to the Committee on State, Granted, School and Tide Lands.

Senator Dorr moved to amend by referring it to the Committee on Appropriations.

A motion by Senator Megler, to lay the communication on the table, was lost.

INTRODUCTION OF BILLS.

Senate bill No. 60, by Senator High: An act creating an emergency and deficiency fund to bring up the urgent and pending work now before the board of state land commissioners created under an act entitled "An act to provide for the selection, survey, management, lease and disposition of the state's granted, tide, oyster and other lands, harbor areas and for the confirmation and completion of the several grants to the state by the United States, creating a board of state land commissioners, defining their duties and authorizing them to act as the commission provided for in article 15 of the state constitution, and declaring an emergency," approved March 26, 1895, making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator High, as amended by Senator Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations, with instructions to report thereon tomorrow morning.

Senate bill No. 61, by Senator Crow: An act providing for the board of prisoners in county jails.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 62, by Senator Deckebach: An act to define the boundaries of Chehalis county.

The bill was read the first time; and, on motion of Senator Deckebach, as amended by Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 63, by Senator Deckebach: An act to amend section 1449 of Hill's Annotated Statutes and Codes of the State of Washington, relating to instruments affecting real property.

The bill was read the first time; and, on motion of Senator Deckebach, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 64, by Senator Crow: An act concerning mortgages of personal property, and the filing of the same.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 65, by Senator Harper: An act to amend section 1443 of the Code of Washington of 1881, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, in regard to settlements of estates of decedents.

The bill was read the first time; and, on motion of Senator Harper, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 66, by Senator High: An act for the relief of O. M. Hidden.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 67, by Senator Range: An act relating to the instructing of juries in the superior court.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 68, by Senator High: An act to amend section 2 of an act entitled "An act in relation to attorneys and counsellors at law, providing for admission to the bar," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 69, by Senator Houghton: An act for the relief of the widow of H. C. Ashenfelter, deceased.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 70, by Senator David Miller: An act fixing and regulating maximum railroad passenger and freight rates in the State of Washington, prohibiting discrimination by railway common carriers against persons, firms, companies, corporations and localities in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and declaring an emergency.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 71, by Senator Keith: An act providing for publishing and supplying a series of text-books to the common schools of the State of Washington, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 72, by Senator Plummer: An act to prohibit the practice of blacklisting and the coercing and influencing of employes by their employers.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 73, by Senator Plummer: An act declaring it a misdemeanor on the part of employers to require as a condition of employment the surrender of any right of citizenship.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 74, by Senator Plummer: An act for the protection of life and property against loss or damage from steam boilers, or machinery operated by unlicensed persons; this act to take effect six months after it becomes a law.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House concurrent resolution No. 10, by Committee on Penitentiary, was read the first time.

A motion by Senator Crow, to lay the resolution on the table, was lost.

On motion of Senator Dorr, the rules were suspended, the resolution was read the second and third times, and placed on its final passage.

It was passed by the following vote: Yeas 25, nays 9, absent or not voting 0.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Pusey, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding—25.

Those voting nay were: Senators Baum, Crow, Easterday, Houghton, McReavy, Paul, Plummer, Runner, and Yeend—9.

Absent or not voting: None.

The Committee on Salaries and Mileage submitted their report, as follows:

REPORT OF COMMITTEE ON SALARIES AND MILEAGE.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, respectfully report that the members of this Senate reside the distance from the capital and are entitled to mileage as follows, to wit :

<i>Names.</i>	<i>Miles.</i>	<i>Amount.</i>
F. M. Baum.....	1,282	\$128 20
J. A. Cole.....	66	6 60
L. C. Crow.....	1,016	101 60
J. A. Davis.....	233	23 30
F. G. Deckebach.....	204	20 40
C. W. Dorr.....	340	34 00
C. M. Easterday.....	66	6 60
W. B. Field.....	940	94 00
J. M. Frink.....	147	14 70
Oliver Hall.....	1,042	104 20
F. C. Harper.....	380	38 00
Augustus High.....	280	28 00
Joseph Hill.....	126	12 60
H. E. Houghton.....	866	86 60
E. C. Keith.....	116	11 60
D. E. Lesh.....	405	40 50
F. P. Lewis.....	147	14 70
John McReavy.....	80	8 00
J. G. Megler.....	280	28 00
David Miller.....	730	73 00
T. J. Miller.....		
Daniel Paul.....	1,074	107 40
W. H. Plummer.....	866	86 60
V. A. Pusey.....	147	14 70
J. W. Range.....	147	14 70
S. D. Reinhart.....	358	35 80
W. E. Runner.....	958	95 80
E. W. Taylor.....	66	6 60
J. C. Van Patten.....	770	77 00
Stanton Warburton.....	66	6 60
R. C. Washburn.....	147.	14 70
R. C. Wilson.....	320	32 00
John Wooding.....	107	10 70
J. I. Yeend.....	724	72 40

And we recommend that the president and secretary of the Senate issue to the members certificates of the amounts due them for mileage in accordance with this report.

Respectfully submitted.
Report concurred in by:

DAVID MILLER, Chairman.
W. H. PLUMMER.
D. E. LESH.
C. M. EASTERDAY.
OLIVER HALL.

The report was laid on the table.

President Daniels signed Senate bill No. 2, by Senator T. J. Miller: An act directing the state treasurer to invest certain moneys in the tide land fund in general warrants, and declaring an emergency.

President Daniels signed the two following bills:

Senate bill No. 1, by Senator Wilson: An act appropriating the sum of fifty thousand dollars for the payment of the salaries of members and employes of the Senate, and other expenses of this session of the legislature.

House bill No. 23, by Mr. Wilkeson: An act making an appropriation to continue the operation of the state salmon hatcheries.

House memorial No. 2, by Mr. A. S. Bush, was read the first time.

On motion of Senator Plummer, the Senate retired to the House at 12 o'clock m. to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint body to order at 12 o'clock m.

The secretary called the roll of the Senate, and the clerk called the roll of the House, showing all of the senators and representatives present, except Representative Gilkey, who was excused.

On motion of Senator Dorr, the reading of the journal of the proceedings of yesterday's joint session was dispensed with, and the journal approved.

Senator Plummer, president pro tem. of the Senate, was called to the chair to preside during the session.

The clerk of the House called the roll on the joint ballot for United States senator.

FOURTH JOINT BALLOT.

The following voted for Hon. Clark Davis: Carr, Day, Hodgdon, Koehler, Mitchell, Range, and Van Patten — 7.

The following voted for Hon. Thurston Daniels: Bush C. P., Crow, de Mattos, Field, Freeman, High, Hill, Miller David, Miller T. J., Moore, Parker, Reinhart, Runner, and Yeend — 14.

The following voted for Hon. George Turner: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Hagadorn, Hansen, Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, and Wolf — 24.

The following voted for Hon. Charles E. Cline: Couch, Hargrave, Irvin, Lindstrom, Lusher, Mohundro, Richmond, Tobiassen, Windust, and Witt — 10.

The following voted for Hon. Richard Winsor: Caywood, Edwards J. O., Gerry, Hicks, Pierson, Way, and Winsor — 7.

The following voted for Hon. Watson C. Squire: Likins, Merrifield, and Williams — 3.

The following voted for Hon. F. R. Baker: Cole, Edwards J. M., Kincaid, Ross, Smith P. M., and Warner — 6.

The following voted for Hon. L. E. Rader: Baker S. W., Jory, and Phelps — 3.

The following voted for Hon. Arthur A. Denny: Ames, Baker

G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Representative Land voted for Hon. W. R. Andrews.

Speaker Cline voted for Mr. Witt.

Representative F. R. Baker voted for Mr. Ross.

The following voted for Hon. J. T. Brown: Canutt, Hooper, Smith H. D., and Wilkeson — 4.

Representative Conine voted for Mr. Newell.

Representative Forbes voted for Hon. John C. Stallcup.

Senator Plummer voted for Hon. J. C. Van Patten.

Representative C. Smith voted for Ahira Manering.

Absent or not voting: Gilkey.

No candidate having received the necessary majority, the president declared that there was no election, and the clerk called the roll for the fifth joint ballot.

FIFTH JOINT BALLOT.

The following voted for Hon. Clark Davis: Carr, Day, Hodgdon, Hooper, Mitchell, and Range — 6.

The following voted for Hon. Thurston Daniels: Bush C. P., Crow, de Mattos, Field, Freeman, High, Hill, Koehler, Miller David, Miller T. J., Moore, Runner, Taylor, and Yeend — 14.

The following voted for Hon. George Turner: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Hagadorn, Hansen, Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, and Wolf — 23.

The following voted for Hon. Charles E. Cline: Conine, Couch, Hargrave, Irvin, Lindstrom, Lusher, Mohundro, Parker, Reinhart, Richmond, Tobiassen, Windust, and Witt — 13.

The following voted for Hon. Richard Winsor: Caywood, Edwards J. O., Gerry, Hicks, Pierson, Way, and Winsor — 7.

The following voted for Hon. Watson C. Squire: Kincaid, Likins, Merrifield, and Williams — 4.

The following voted for Hon. F. R. Baker: Cole, Edwards J. M., Ross, Smith P. M., and Warner — 5.

The following voted for Hon. L. E. Rader: Baker S. W., Jory, and Phelps — 3.

The following voted for Hon. Arthur A. Denny: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Scott, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Representative Land voted for Hon. W. R. Andrews.

Speaker Cline voted for Mr. Witt.

Representative F. R. Baker voted for Mr. Ross.

The following voted for Hon. J. T. Brown: Canutt, Smith C., Smith H. D., and Wilkeson — 4.

Representative Forbes voted for Hon. John C. Stallcup.

Senator Plummer voted for Hon. J. C. Van Patten.

Senator Van Patten voted for Senator Plummer.

Absent or not voting: Gilkey.

No candidate having received a necessary majority, the president declared that there was no election.

Representative Warner moved that the joint body dissolve.

The motion was lost by the following vote: Yeas 39, nays 71, absent or not voting 2.

Those voting yea were: Ames, Baker F. R., Baker G. H., Barlow, Bush C. P., Couch, Davis, Deckebach, Easterday, Edwards J. M., Edwards J. O., Forbes, Hagadorn, Houghton, Johnston, Kincaid, Land, Likins, Merrifield, Miller David, Paul, Pierson, Powell, Pusey, Richmond, Seymore, Smith P. M., Stafford, Taylor, Thacker, Van Patten, Warburton, Warner, Washburn, Williams, Wilkeson, Wilson, Windust, and Wooding — 39.

Those voting nay were: Baker S. W., Baum, Bush A. S., Canutt, Carr, Caywood, Clapp, Cole, Conine, Crow, Day, de Mattos, Dorr, Field, Freeman, Fritz, Frink, Guie, Geraghty, Gerry, Hall, Hansen, Hargrave, Harper, Hicks, High, Hill, Hodgdon, Hooper, Irvin, Jory, Keith, Kittinger, Koehler, Lesh, Levin, Lewis, Libby, Lindstrom, Lusher, Marshall, Mathiot, Mentzer, Miller T. J., Mitchell, Mohundro, Moore, McAtee, McReavy, Nelson, Parker, Phelps, Plummer, Range, Reinhart, Roberts, Ross, Runner, Scott, Smith C., Smith H. D., Smith J. B., Struve, Stuhrman, Tobiassen, Way, Winsor, Witt, Wolf, Yeend, and Mr. Speaker — 71.

Absent or not voting: Megler and Gilkey — 2.

SIXTH JOINT BALLOT.

The clerk called the roll for the sixth joint ballot, which resulted as follows:

The following voted for Hon. Clark Davis: Carr, Day, Hodgdon, and Yeend — 4.

The following voted for Hon. Thurston Daniels: Bush C. P., Cole, Crow, de Mattos, Field, Hargrave, High, Hill, Koehler, Miller David, Range, Runner, Taylor, and Van Patten — 14.

The following voted for Hon. George Turner: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Gilkey, Hagadorn, Hansen, Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, and Wolf — 24.

The following voted for Hon. Charles E. Cline: Conine, Couch, Edwards J. M., Freeman, Hooper, Irvin, Lusher, Miller T. J., Mitchell, Mohundro, Moore, Parker, Richmond, Tobiassen, Windust, and Witt — 16.

The following voted for Hon. Richard Winsor: Caywood, Edwards J. O., Gerry, Hicks, Pierson, Warner, Way, Wilkeson, and Winsor — 9.

The following voted for Hon. F. R. Baker: Forbes, Ross, and Smith P. M. — 3.

The following voted for Hon. L. E. Rader: Baker S. W., Jory, Phelps, and Plummer — 4.

The following voted for Hon. Arthur A. Denny: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

The following voted for Hon. W. R. Andrews: Land and Reinhart — 2.

Speaker Cline voted for Mr. Witt.

Representative F. R. Baker voted for Senator Crow.

The following voted for H. L. Forrest: Canutt, Lindstrom, Smith C., Smith H. D. — 4.

No candidate having received the majority necessary to elect, the chair declared that there was no election.

The joint session then dissolved.

President Daniels called the Senate to order at 1 o'clock P. M.

On motion of Senator Plummer, as amended by Senator Dorr, the Senate adjourned until to-morrow at 10:30 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWELFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 22, 1897. }
10:30 o'clock A. M.

President Daniels called the Senate to order at 10:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of the preceding day was read and approved.

Senator High presented a petition from Lyle precinct, Klickitat county, regarding the enactment into law of the "Weed non-interest bearing warrant system," signed by Philip Eirich and others.

The petition was read; and, on motion of Senator High, referred to the Committee on Public Revenues.

The following reports of the Judiciary Committee were, on motion of Senator Easterday, adopted:

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,
OLYMPIA, WASH., January 21, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 4, entitled "An act to prevent coercion and blacklisting of employes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Committee on Labor and Labor Statistics.

Respectfully submitted. C. M. EASTERDAY, Chairman.

All the members of the committee concurring.

SENATE CHAMBER,
OLYMPIA, WASH., January 21, 1897.

MR. PRESIDENT:

We, your Committtee on Judiciary, to whom was referred Senate bill No. 14, entitled "An act prescribing the manner of service of summons, process, writ, pleading, notice or order, in civil actions or proceedings, upon corporations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted. C. M. EASTERDAY, Chairman.

All the members of the committee concurring.

The majority of the Judiciary Committee submitted the following report:

SENATE CHAMBER,

OLYMPIA, WASH., January 21, 1897.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate bill No. 5, entitled "An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Concurred in by Senators Washburn, Dorr, Lewis, Wilson and Warburton.

The minority of the Judiciary Committee submitted the following report.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., January 21, 1897.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate bill No. 5, entitled "An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 1, line 1 of the printed bill, strike out the word "five" and insert in lieu thereof the word "six;" in section 2 of the printed bill, strike out all after the word "debtor," in line 3; strike out all of section 3; strike out the words "section 4" in the printed bill, and insert in lieu thereof the words "section 3." And that as so amended, said bill do pass.

Respectfully submitted by Senators Taylor, Plummer, and Houghton.

On motion of Senator Taylor, the bill was placed on general file.

The Committee on Appropriations submitted the following report:

REPORT OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., January 22, 1897.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 60, entitled "An act appropriating the sum of \$2,000 for the purpose of bringing up the urgent and necessary work in the office of the state land commissioners, and for clerical and engineering work in the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the sub-

stitute transmitted herewith do pass, and that the original bill be indefinitely postponed.

Respectfully submitted.

We concur in this report:

AUGUSTUS HIGH, Chairman.

C. W. DORR.

E. C. KEITH.

DANIEL PAUL.

W. E. RUNNER.

THOS. J. MILLER.

F. M. BAUM.

The report was adopted.

Senate bill No. 75, by the Committee on Appropriations, a substitute for Senate bill No. 60, An act appropriating money for clerical assistance in the office of the board of state land commissioners, was read the first time.

On motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

On motion of Senator Crow, the report of the committee on committee rooms was taken from the table.

On motion of Senator T. J. Miller, the report of the Committee on Salaries and Mileage was taken up.

Senator T. J. Miller moved to amend the report as follows: Changing the number of miles of Senator Dorr from 340 to 345; Senator Harper from 380 to 390; Senator Megler from 280 to 380.

Senator Keith moved to amend the report of the committee on committee rooms by changing the amount from \$65 to \$60 per month.

Senator Taylor moved that the further consideration of the report be indefinitely postponed.

The motion was carried by the following vote: Yeas 28, nays 4, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, and Washburn — 28.

Those voting nay were: Senators Houghton, McReavy, Paul, and Wooding — 4.

Absent or not voting: Senators Wilson and Yeend — 2.

The Committee on Enrolled Bills presented the two following reports:

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., January 22, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 2, entitled "An act directing the state treasurer to invest certain moneys in the tide land fund in general warrants, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur:

JOHN I. YEEND.

SENATE CHAMBER,

OLYMPIA, WASH., January 22, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 1, entitled "An act appropriating fifty thousand dollars for the payment of the salaries of members and employes and other expenses of this session of the legislature," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur:

JOHN I. YEEND.

President Daniels signed Senate bills Nos. 2 and 1.

Senator Houghton moved that the portion of the record of yesterday relating to Senate bills Nos. 2 and 1 be expunged.

Senator Deckebach moved to amend by making the record of today show that the bills were sent to the House, found to have been improperly enrolled, returned to the Senate and properly enrolled.

The amendment was carried.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider Senate bill No. 75.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate without amendment.

Senator Plummer, president pro tem. of the Senate, was called into the chair.

On motion of Senator Easterday, the bill was read the third time, the rules suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 28, nays 4, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Dorr,

Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Rinehart, Runner, Van Patten, Warburton, Wooding, and Yeend — 28.

Those voting nay were: Senators Deckebach, Megler, Washburn, and Wilson — 4.

Absent or not voting: Senators Davis and Taylor — 2.

Senator Taylor moved that the title of the bill remain the title of the act.

The motion was carried.

Senator Range moved that the assistant journal clerk be sworn in.

The motion was carried by the following vote: Yeas 23, nays 9, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Deckebach, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Range, Van Patten, Warburton, Wilson, Wooding, and Yeend — 23.

Those voting nay were: Senators Crow, Davis, Dorr, Easterday, Field, Miller T. J., Reinhart, Runner, and Washburn — 9.

Absent or not voting: Senators Lewis and Taylor — 2.

On motion of Senator Plummer, the Senate retired to the House at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock m.

The secretary called the roll of the Senate, and the clerk called the roll of the House; all of the senators and representatives being present except Senator Lesh, and Representatives Conine and Gilkey.

On motion of Senator Wilson, the reading of the journal of the previous day was dispensed with, and the journal approved.

The clerk called the roll for the seventh joint ballot for the election of United States senator, which resulted as follows:

SEVENTH JOINT BALLOT.

Those voting for F. R. Baker were: Hargrave, Jory, and Smith P. M. — 3.

Those voting for C. E. Cline were: Canutt, Freeman, Hooper, Irvin, Lindstrom, Lusher, Mohundro, Moore, Smith C., Smith H. D., Tobiassen, Windust, and Witt — 13.

Those voting for Clark Davis were: Carr, Couch, Day, Edwards J. M., Hodgdon, Koehler, Mitchell, Harper, Range, Richmond, Ross, Stafford, Yeend, and Mr. Speaker — 14.

Those voting for Thurston Daniels were: Bush C. P., Cole, Crow, Field, High, Hill, Mathiot, Miller David, Runner, Taylor, and Van Patten — 11.

Those voting for A. A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Levin, Lewis, Libby, Marshall, Megler, Paul, Pusey, Seymour, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 25.

Those voting for L. E. Rader were: Baker S. W., Caywood, and Phelps — 3.

Those voting for W. C. Squire were: Kincaid, Likins, Merrifield, and Williams — 4.

Those voting for G. W. Turner were: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Hagadorn, Hanson, Houghton, Johnston, Keith, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stuhrman, and Wolf — 21.

Those voting for Richard Winsor were: Edwards J. O., Gerry, Hicks, Land, Miller T. J., Pierson, Plummer, Reinhart, Warner, Way, Wilkeson, and Winsor — 12.

Representative F. R. Baker voted for A. P. Tugwell.

Representative de Mattos voted for John R. Rogers.

Representative Forbes voted for E. W. Taylor.

No candidate having received a majority of all the votes, the chair declared that there was no election.

The clerk read a communication from Hon. Clark Davis, withdrawing his name as a candidate for United States senator.

The clerk called the roll for the eighth joint ballot, which resulted as follows:

EIGHTH JOINT BALLOT.

Those voting for F. R. Baker were: Day, Edwards J. M., Richmond, Ross, and Smith P. M. — 5.

Those voting for Cline were: Canutt, Carr, Caywood, Couch, Freeman, Hooper, Irvin, Jory, Lindstrom, Lusher, Mitchell, Mohundro, Moore, Parker, Smith C., Tobiassen, Windust, and Witt — 18.

Those voting for Thurston Daniels were: Bush C. P., Cole,

Crow, Field, Hicks, Miller David, Plummer, Runner, Smith H. D., Taylor, Van Patten, and Yeend — 12.

Those voting for A. A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Hodgdon, Kittinger, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for L. E. Rader were: Baker S. W., Phelps, Wilkeson, and Mr. Speaker — 4.

Those voting for W. C. Squire were: Hargrave, Kincaid, Koehler, Likins, Merrifield, and Williams — 6.

Those voting for G. W. Turner were: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Hagadorn, Hansen, Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelsen, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Warner, and Wolf — 24.

Those voting for Richard Winsor were: Edwards J. O., Gerry, Hicks, Hill, Land, Miller T. J., Pierson, Range, Reinhart, Way, and Winsor — 11.

Representative F. R. Baker voted for A. P. Tugwell.

Representative de Mattos voted for John R. Rogers.

Representative Forbes voted for E. W. Taylor.

No candidate having received a majority of all the votes, the chair declared that there was no election.

Representative de Mattos moved that the joint session now dissolve.

The motion was lost by the following vote: Yeas 27, nays 80, absent or not voting 5.

Those voting yea were: Ames, Clapp, Davis, Day, Deckebach, de Mattos, Easterday, Edwards J. M., Edwards J. O., Forbes, Hagadorn, Hicks, Hill, Kincaid, Libby, Megler, Miller David, Mohundro, Paul, Phelps, Powell, Pusey, Seymore, Smith C., Struve, Taylor, Washburn, and Wilson — 27.

Those voting nay were: Baker F. R., Baker G. H., Baker S. W., Barlow, Baum, Bush A. S., Bush C. P., Canutt, Carr, Caywood, Cole, Couch, Crow, Dorr, Field, Fritz, Freeman, Frink, Geraghty, Gerry, Guie, Hall, Hanson, Hargrave, Harper, High, Hodgdon, Hooper, Houghton, Irvin, Johnston, Jory, Keith, Kittinger, Koehler, Land, Levin, Lewis, Lindstrom, Lusher, Marshall, Mathiot, Mentzer, Merrifield, Miller T. J., Mitchell, Moore, Mc-

Atee, McReavy, Nelson, Parker, Pierson, Plummer, Range, Reinhart, Richmond, Roberts, Ross, Runner, Scott, Smith H. D., Smith J. B., Smith P. M., Stuhrman, Thacker, Tobiassen, Van Patten, Warburton, Warner, Way, Williams, Wilkeson, Windust, Winson, Witt, Wolf, Wooding, Yeend, and Mr. Speaker—80.

The clerk called the roll for the ninth joint ballot for the election of United States senator, which resulted as follows:

NINTH JOINT BALLOT.

Those voting for F. R. Baker were: Day, Edwards J. M., Ross, and Smith P. M.—4.

Those voting for C. E. Cline were: Baker S. W., Canutt, Carr, Couch, Freeman, Hodgdon, Hooper, Irvin, Lindstrom, Lusher, Mitchell, Mohundro, Moore, Smith C., Smith H. D., Tobiassen, and Witt—17.

Those voting for Thurston Daniels were: Bush C. P., Caywood, Cole, Crow, Field, Hargrave, High, Jory, Miller David, Parker, Plummer, Range, Richmond, Runner, Taylor, Van Patten, Windust, and Yeend—18.

Those voting for A. A. Denny were: Ames, Baker G. H., Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding—26.

Those voting for L. E. Rader were: Phelps and Mr. Speaker—2.

Those voting for W. C. Squire were: Kincaid, Koehler, Likins, Merrifield, and Williams—5.

Those voting for George Turner were: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Hagadorn, Hansen, Houghton, Johnsten, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Warner, and Wolf—24.

Those voting for Richard Winsor were: Edwards J. O., Gerry, Hicks, Hill, Land, Miller T. J., Pierson, Reinhart, Way, Wilkeson, and Winsor—11.

Representative F. R. Baker voted for B. F. Day.

Representative de Mattos voted for John R. Rogers.

Representative Forbes voted for E. W. Taylor.

No candidate having received a majority of the votes, the chair declared that there was no election.

On motion of Representative Williams, the joint session dissolved.

President Daniels called the Senate to order at 1:15 o'clock P. M.

On motion, the Senate adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 3 o'clock P. M., pursuant to adjournment.

President Daniels administered the oath of office to Miss Ella J. Munson.

The secretary read the following message from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 22, 1897.

President of the Senate, Olympia, Wash.:

SIR—The governor has this day approved Senate bill No. 2, providing for the investment of tide land funds in general warrants hereafter to be issued. Also, Senate bill No. 1, appropriating \$50,000 for the payment of salaries of members and employes, and other expenses of the fifth legislative session.

Very respectfully, J. E. BALLAINE, Private Secretary.

INTRODUCTION OF BILLS.

Senate bill No. 76, by Senator Davis: An act to prescribe the mode of payment of all obligations of debt to be paid in money.

The bill was read the first time.

Senator Davis moved that the rules be suspended, the bill read the second time by title, and referred to Committee on Commerce.

Senator Warburton moved to amend by referring it to Judiciary Committee.

The amendment was lost, and the original motion prevailed.

Senate bill No. 77, by Senator Megler: An act making provision for the incorporation of cemetery associations.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Senate bill No. 78, by Senator Van Patten: An act amendatory

of section one (1) of the Session Laws of the State of Washington for 1893, entitled “ An act relating to damages by trespassing animals.”

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to Committee on Agriculture.

Senate bill No. 79, by Senator Van Patten: An act amendatory of section 2490 of an act entitled “ An act relating to the care of swine and providing for the collection of damages by reason of swine being at large unlawfully, where the owner thereof is known and has received lawful notice thereof,” 1 Hill, chapter 2, section 2490.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to Committee on Agriculture.

Senate bill No. 80, by Senator T. J. Miller: An act instructing the fish commissioner to construct fishways in streams where natural barriers prevent the ascent of salmon and other food fishes.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 81, by Senator T. J. Miller: An act amending section 1285 of Hill's Code, specifying who may be admitted to the soldiers' home.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Charitable Institutions.

Senate bill No. 82, by Senator Lesh: An act making it unlawful for any person or persons, association of persons or corporations, to handle, buy, sell, give away or manufacture cigarettes or cigarette paper, and providing the punishment for the violation thereof.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 83, by Senator Yeend: An act providing for a lien upon monuments, grave stones, or other structures placed in any lot in any cemetery or burial ground in this state.

The bill was read the first time; and, on motion of Senator

Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 84, by Senator Range: An act permitting cases in the supreme court to be submitted upon typewritten briefs, provided no costs shall be recovered for any briefs, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title and referred to the Judiciary Committee.

Senate bill No. 85, by Senator Yeend: An act to amend section 18 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 86, by Senator Yeend: An act to amend an act entitled "An act to amend section 5 of an act entitled 'An act appropriating money for the purchase of material, and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary,' " approved March 20, 1895.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 87, by Senator Harper: An act to amend section 1, chapter 65 of Session Laws, approved March 9, 1893.

The bill was read the first time; and, on motion of Senator Harper, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

Senate bill No. 88, by Senator Plummer: An act in regard to contracts affecting the liability of railroad corporations for damages.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 89, by Senator Plummer: An act providing for

the issuance of state bonds for the benefit of the Cheney normal school and the New Whatcom state normal school, and prescribing how the proceeds of the sale of such bonds shall be expended.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

Senate bill No. 90, by Senator Reinhart: An act to amend sections 2570, 2573, 2574 and 2576 of volume one, Hill's Code of the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Reinhart, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 91, by Senator Hill: An act to provide for the exemption of improvements upon land, in the sum of \$1,000.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 92, by Senator Hill: An act to amend section 5 of an act entitled "An act to provide for the assignment and collection of taxes in the State of Washington, and declaring an emergency," approved March 23, 1895.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 93, by Senator Houghton: An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

GENERAL FILE.

Senate bill No. 8, by Senator Taylor: An act prohibiting advertising in matters of divorce, was taken up, and read the third time by sections.

On motion of Senator Taylor, the rules were suspended, the bill considered engrossed, and placed on its final passage.

Senator Plummer, president pro tem. of the Senate, was called into the chair.

The bill was passed by the following vote: Yeas 34, noes 0, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 13, by Senator Easterday, An act in regard to assignment and satisfaction and cancellation of mortgages, was taken up, and read the third time by sections.

Senator Taylor moved to strike out the words “and cancellation,” wherever they appear in the bill.

The motion was carried.

Senator Warburton moved to strike out line 3 of section 2.

On motion of Senator Miller, the bill was recommitted to the Committee on Judiciary for examination and report thereon.

Senate bill No. 16, by Senator Easterday, An act to amend sections 1075 and 1076 of volume 2 of Hill’s Annotated Statutes and Codes of the State of Washington, relating to the order of payment of debts of decedents, was read the third time by sections.

Senator T. J. Miller moved to amend by adding “wages due for labor performed,” after the words, “United States,” in line 6 of printed bill.

Senator Warburton moved to amend the amendment by adding to the word “performed,” the words “within ninety days immediately preceding the death of the decedent.”

The amendment to the amendment was carried, and the original amendment as amended prevailed.

On motion of Senator Easterday, the word “date,” line 10, printed bill, was stricken out and “priority” inserted in lieu thereof.

On motion of Senator T. J. Miller, all of line 4 of printed bill after the word “judgment,” and all of lines 5 and 6 of section 2 were stricken out.

On motion of Senator Dorr, the words "Section one" were added after the enacting clause.

On motion of Senator Houghton, the bill was recommitted to the Judiciary Committee to examine and report.

Senator Warburton was excused until Monday.

President Daniels resumed the chair.

James Hamilton Lewis, congressman-elect, was invited to take a seat beside the President.

Senate bill No. 5, by Senator Taylor, An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington, was read the third time in full.

Senator David Miller moved to amend by striking out the word "five" in line 1, printed bill, and insert the word "six."

The amendment was carried.

Senator Houghton moved to strike out section 2.

The motion was lost.

Senator Frink moved that the bill be made a special order for Wednesday at 2 o'clock P. M.

The motion was lost.

On motion of Senator Taylor, sections 2 and 3 were stricken out.

On motion of Senator Taylor, section 4 was made section 2.

Senator Lewis offered the following amendment to section 1: Add "*Provided*, That this act shall not affect or apply to existing judgments."

On motion of Senator Plummer, the amendment was laid on the table.

On motion of Senator Plummer, the bill was considered engrossed, and placed on its final passage.

The bill was passed by the following vote: Yeas 24, nays 6, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Wooding, and Yeend — 24.

Those voting nay were: Senators Deckebach, Easterday, Lewis, Miller David, Washburn, and Wilson — 6.

Absent or not voting: Senators Frink, Lesh, Pusey, and Warburton — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Dorr, Senate bill No. 60 was indefinitely postponed.

On motion of Senator McReavy, the Senate adjourned until 11 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, January 23, 1897. }
11 o'clock A. M.

President Daniels called the Senate to order at 11 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Frink, Lesh and Warburton, who were excused.

The journal of yesterday was read and approved.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 22, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 8, entitled "An act prohibiting advertisement in matters of divorce," have examined the same, and we respectfully report the same back to the Senate as being correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

Senator Plummer moved to reconsider the vote by which Senate bill No. 5 was passed yesterday, in order to allow some senators to vote for the bill who had voted against it.

The Committee on Claims and Auditing presented the following report:

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., January 23, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bills for supplies and repairs, presented by James Dofflemyer, Jacob L. Brown and G. B. Moore, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in the bill of James Dofflemyer, the charge for lumber be reduced from \$7 to \$5, and the charge for labor be reduced from \$13 to \$10; that the bill of Jacob L. Brown be allowed in full, and the bill of G. B. Moore be reduced from \$6 to \$5, and that the bills be allowed as follows: James Dofflemyer, \$18.85; Jacob L. Brown, \$11.70; G. B. Moore, \$5.

□ Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

L. C. CROW.

J. A. DAVIS.

R. C. WILSON.

President pro tem. Plummer was called into the chair.

Senator High moved to amend the report on the bill of James Dofflemyer by reducing the price of the lumber from five cents to two and one-half cents per foot.

On motion of Senator Taylor, the bill was re-committed to the Committee on Claims and Auditing.

On motion of Senator Van Patten, the bill of Jacob L. Brown was re-committed to the Committee on Claims and Auditing.

On motion of Senator Yeend, the report of the committee on the bill of G. B. Moore was adopted.

President Daniels resumed the chair.

The following resolution was introduced by Senator Keith:

Resolved, That an alphabetical list, according to subjects, of all Senate bills, by number, be kept by the secretary.

The resolution was adopted.

The secretary read the following message from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 23, 1897.

MR. PRESIDENT:

The House has passed House bill No. 47, by Mr. F. R. Baker, An act relating to an act fixing and prescribing the liabilities of companies and corporations operating railways within the State of Washington for negligence or wrongs of employes, and declaring an emergency.

And has indefinitely postponed Senate concurrent resolution No. 1, by Senator Dorr.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

Senators Crow and Davis were excused from further attendance until Monday.

On motion of Senator Plummer, the Senate retired to the House at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock m.

President pro tem. Plummer was called to the chair.

The secretary called the roll of the Senate, and the clerk called the roll of the House, all of the senators and representatives being present except Senators Frink, Crow, Davis, Van Patten, and Representative Conine, who were excused.

On motion, the reading of the journal of yesterday's joint session was dispensed with, and the journal approved.

Representative Marshall moved that the joint session dissolve after the first ballot.

The motion was lost.

TENTH JOINT BALLOT.

The clerk called the roll for the tenth joint ballot on the election of United States senator, which resulted as follows:

Charles E. Cline received thirty-four votes.

Thurston Daniels received six votes.

Arthur A. Denny received twenty-three votes.

Watson C. Squire received six votes.

George Turner received twenty-four votes.

Richard Winsor received seven votes.

John R. Rogers received one vote.

A. V. Fawcett received one vote.

J. W. Range received one vote.

Those voting for Charles E. Cline were: Baker F. R., Canutt, Car, Caywood, Couch, Day, Edwards J. M., Edwards J. O., Field, Freeman, Hargrave, Hodgdon, Hooper, Irwin, Jory, Land, Lindstrom, Lusher, Miller T. J., Mitchell, Mohundro, Moore, Nelson, Phelps, Range, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Tobiassen, Windust, and Witt—34.

Those voting for Thurston Daniels were: Bush C. P., Cole, High, Hill, Miller David, and Taylor—6.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Guie, Hall, Harper, Kittinger,

Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Washburn, Wilson, and Wooding — 23.

Those voting for Watson C. Squire were: Kincaid, Likens, Mathiot, Merrifield, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., Easterday, Fritz, Garaghty, Gilkey, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Warner, and Wolf — 24.

Those voting for Richard Winsor were: Gerry, Pierson, Plummer, Way, Wilkeson, Winsor, Yeend — 7.

Representative de Mattos voted for John R. Rogers.

Representative Forbes voted for A. V. Fawcett.

Mr. Speaker voted for J. W. Range.

No candidate having received a majority of the votes, the chair declared that there was no election.

A motion to adjourn was lost.

The clerk called the roll for the eleventh joint ballot, for the election of a United States senator, which resulted as follows:

ELEVENTH JOINT BALLOT.

Charles E. Cline received thirty-six votes.

Thurston Daniels received three votes.

Arthur A. Denny received twenty-three votes.

Watson C. Squire received six votes.

George Turner received twenty-six votes.

Richard Winsor received four votes.

John R. Rogers received one vote.

A. V. Fawcett received one vote.

H. S. Blandford received three votes.

Senator Reinhart received one vote.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Couch, Day, Edwards J. M., Edwards J. O., Field, Freeman, Hill, Hodgdon, Hooper, Irvin, Jory, Land, Lindstrom, Lusher, Miller T. J., Mitchell, Mohundro, Moore, Parker, Phelps, Range, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Hargrave, Tobiassen, Windust, and Witt — 36.

Those voting for Thurston Daniels were: Cole, High, and Plummer — 3.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Guie, Hall, Harper, Kittinger, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Washburn, Wilson, and Wooding — 23.

Those voting for Watson C. Squire were: Kincaid, Koehler, Linkins, Merrifield, Richmond, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, Warner, and Wolf — 26.

Those voting for Richard Winsor were: Pierson, Way, Wilkeson, and Winsor — 4.

Representative de Mattos voted for John R. Rogers.

Representative Forbes voted for A. V. Fawcett.

Those voting for H. S. Blandford were: Mathiot, Miller David, and Yeend — 3.

Mr. Speaker voted for Senator Reinhart.

No candidate having received a majority of the votes, the chair declared that there was no election.

A motion by Representative Williams that, before the joint session dissolve, three more ballots be taken, was lost.

The clerk called the roll for the twelfth joint ballot, for the election of a United States senator, which resulted as follows:

TWELFTH JOINT BALLOT.

Charles E. Cline received thirty-seven votes.

Thurston Daniels received three votes.

Arthur A. Denny received twenty-three votes.

Watson C. Squire received six votes.

George Turner received twenty-seven votes.

Richard Winsor received four votes.

H. S. Blandford received one vote.

John R. Rogers received one vote.

J. T. Ronald received one vote.

F. R. Baker received one vote.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Couch, Day, Edwards J. M., Edwards J. O., Field, Hargrave, Hill, Hodgdon, Hooper, Irvin, Jory, Land, Lindstrom, Lusher, Miller T. J., Mitchell, Mohun-

dro, Moore, Parker, Phelps, Range, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Tobiassen, Windust, Witt, and Yeend — 37.

Those voting for Thurston Daniels were: Cole, High, and Plummer — 3.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Guie, Hall, Harper, Kittinger, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Washburn, Wilson, and Wooding — 23.

Those voting for Watson C. Squire were: Forbes, Kincaid, Likins, Merrifield, Richmond, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, Warner, and Wolf — 27.

Those voting for Richard Winsor were: Pierson, Way, Wilkeson, and Winsor — 4.

Representative de Mattos voted for John R. Rogers.

Representative Koehler voted for J. T. Ronald.

Speaker Cline voted for F. R. Baker.

No candidate having received a majority of the votes, the chair declared that there was no election.

Representative Fritz moved that the joint session dissolve.

The motion was lost by the following vote: Yeas 42, nays 63.

Those voting yea were: Ames, Baker G. H., Barlow, Clapp, Cole, Deckebach, Dorr, Easterday, Forbes, Guie, Hagadorn, Harper, Hicks, High, Hill, Johnston, Keith, Kincaid, Koehler, Land, Levin, Lewis, Libby, Lusher, Marshall, Megler, Miller David, Mohundro, Paul, Powell, Pusey, Richmond, Runner, Seymore, Smith P. M., Struve, Taylor, Washburn, Wilkeson, Wilson, and Wooding — 42.

Those voting nay were: Baker F. R., Baum, Bush A. S., Bush C. P., Canutt, Carr, Caywood, Cline, Couch, Day, de Mattos, Edwards J. M., Edwards J. O., Field, Fritz, Freeman, Geraghty, Gerry, Gilkey, Hall, Hansen, Hargrave, Hodgdon, Hooper, Houghton, Irvin, Jory, Kittinger, Lindstrom, Likins, Mathiot, Mentzer, Merrifield, Miller T. J., Mitchell, Moore, McAtee, McReavy, Nelson, Parker, Phelps, Pierson, Plummer, Range, Reinhart, Roberts, Ross, Scott, Smith C., Smith H. D., Smith J. B., Stafford, Stuhr-

man, Thacker, Tobiassen, Warner, Way, Williams, Windust, Winsor, Witt, Wolf, and Yeend—63.

The clerk called the roll for the thirteenth joint ballot on the election of a United States senator, which resulted as follows:

THIRTEENTH JOINT BALLOT.

Charles E. Cline received thirty-seven votes.

Thurston Daniels received three votes.

Arthur A. Denny received twenty-three votes.

Watson C. Squire received six votes.

George Turner received twenty-seven votes.

Richard Winsor received four votes.

John R. Rogers received one vote.

J. T. Ronald received one vote.

H. S. Blandford received one vote.

Senator Yeend received one vote.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Couch, Day, Edwards J. M., Edwards J. O., Field, Freeman, Hargrave, Hill, Hodgdon, Hooper, Irvin, Jory, Land, Lindstrom, Lusher, Miller T. J., Mitchell, Mohundro, Moore, Parker, Phelps, Range, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Tobiassen, Windust, Witt, and Yeend — 37.

Those voting for Thurston Daniels were: Cole, High, and Plummer — 3.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Guie, Hall, Harper, Kittinger, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Washburn, Wilson, and Wooding — 23.

Those voting for Watson C. Squire were: Forbes, Kincaid, Likins, Merrifield, Richmond, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., East-
erday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hicks,
Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy,
Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhman,
Taylor, Warner, and Wolf — 27.

Representative de Mattos voted for John R. Rogers.

Representative Koehler voted for J. T. Ronald.

Senator David Miller voted for H. S. Blandford.

Mr. Speaker voted for Senator Yeend.

No candidate having received a majority of the votes, the chair declared that there was no election.

On motion of Representative Warner, the joint session dissolved.

President Daniels called the Senate to order at 1:30 o'clock P. M.

On motion, the Senate adjourned until Monday, January 25, 1897, at 11:45 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 25, 1897. }
11:45 o'clock A. M.

President Daniels called the Senate to order at 11:45 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Lesh, Miller T. J., Warburton and Wilson.

Senator Warburton was excused.

The journal of yesterday was read and approved.

The clerk of the House read the following messages:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

The House has passed House bill No. 30, by Mr. Guie, An act to amend section 1439 of volume one of the General Statutes and Codes of the State of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages.

Also, House bill No. 45, by Mr. Guie, An act relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace by persons other than sheriffs and constables.

Also, House bill No. 26, by Mr. Guie, An act to provide for the platting of real estate by the personal representatives of decedents.

Also, House bill No. 31, by Mr. Guie, An act to provide for the record of assignments and satisfactions.

And the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

House bill No. 45, by Mr. Guie: An act relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of the peace, by persons other than sheriffs and constables.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 47, by Mr. F. R. Baker: An act fixing and prescribing the liabilities of companies and corporations operating railways within the State of Washington for negligence or wrongs of employes, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 31, by Mr. Guie: An act to provide for the record of assignments and satisfactions of judgments, and of transcripts of such assignments and satisfactions.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 30, by Mr. Guie: An act to amend section 1439 of volume 1 of the General Statutes and Codes of the State of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Plummer, the Senate retired to the House at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock m.

President pro tem. Plummer was called into the chair to preside over the joint session.

The secretary called the roll of the Senate and the clerk called the roll of the House; all of the senators and representatives being present, except Senators Lesh, Miller T. J., Warburton and Wilson, and Representatives Barlow and Baker S. W.

On motion of Representative Williams, the reading of the journal of Saturday's joint session was dispensed with, and the journal approved.

Representative Williams introduced the following resolution:

Resolved, That in making up the journal of the joint session, the clerk shall omit the list of names of the members voting upon the question of dissolution.

Senator Dorr objected to the resolution, and the chair declared it out of order.

The clerk called the roll for the fourteenth joint ballot on the election of a United States senator, which resulted as follows:

FOURTEENTH JOINT BALLOT.

Charles E. Cline received thirty-nine votes.

Thurston Daniels received four votes.

Arthur A. Denny received twenty-two votes.

Watson C. Squire received seven votes.

George Turner received twenty-seven votes.

Richard Winsor received three votes.

John R. Rogers received one vote.

T. J. Miller received one vote.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Freeman, High, Hill, Hodgdon, Hooper, Irvin, Jory, Land, Lindstrom, Lusher, Mathiot, Mitchell, Mohundro, Moore, Parker, Phelps, Range, Reinhart, Ross, Runner, Smith C., Smith P. M., Tobiassen, Van Patten, Way, Windust, and Witt—39.

Those voting for Thurston Daniels were: Cole, Plummer, Taylor, and Yeend—4.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lewis, Levin, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Washburn, and Wooding—22.

Those voting for Watson C. Squire were: Forbes, Kincaid, Koehler, Likins, Merrifield, Richmond, and Williams—7.

Those voting for George Turner were: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, Houghton, Keith, Johnston, Mentzer,

McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Warner, and Wolf — 27.

Representative de Mattos voted for John R. Rogers.

Those voting for Richard Winsor were: Pierson, Wilkeson, and Winsor — 3.

Mr. Speaker voted for T. J. Miller.

No candidate having received a majority of the votes, the president declared that there was no election, and the clerk called the roll for the fifteenth joint ballot on the election of a United States senator, which resulted as follows:

FIFTEENTH JOINT BALLOT.

Charles E. Cline received thirty-six votes.

Thurston Daniels received five votes.

Arthur A. Denny received twenty-two votes.

Watson C. Squire received seven votes.

George Turner received twenty-eight votes.

Richard Winsor received three votes.

John R. Rogers received one vote.

Robert Gerry received one vote.

J. W. Range received one vote.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Freeman, Field, Hodgdon, Hooper, Irvin, Jory, Land, Lindstrom, Lusher, Mitchell, Mohundro, Moore, Parker, Phelps, Range, Reinhart, Ross, Runner, Smith C., Smith P. M., Tobiassen, Van Patten, Way, Windust, and Witt — 36.

Those voting for Thurston Daniels were: Cole, High, Hill, and Plummer — 4.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Washburn, and Wooding — 22.

Those voting for Watson C. Squire were: Forbes, Kincaid, Koehler, Likins, Merrifield, Richmond, and Williams — 7.

Those voting for George Turner were: Baum, Bush A. S., Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, Houghton, Johnston, Keith, Mathiot, Mentzer, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Warner, and Wolf — 28.

Those voting for Richard Winsor were: Pierson, Wilkeson, and Winsor — 3.

Representative de Mattos voted for John R. Rogers.

Senator Yeend voted for Robert Gerry.

Speaker Cline voted for J. W. Range.

No candidate having received a majority of the votes, the president declared that there was no election.

On motion of Representative Williams, the joint session dissolved.

President Daniels called the Senate to order at 12:45 o'clock P. M.

On motion of Senator Deckebach, the Senate adjourned until 2:30 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Lesh, Warburton and Wilson, who were excused.

House bill No. 26, by Mr. Guie: An act to provide for the platting of real estate by the personal representatives of decedents.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

INTRODUCTION OF BILLS.

Senate bill No. 94, by Senator Keith: An act to determine the qualifications of a county superintendent of common schools.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 95, by Senator Keith: An act to provide for an institute fund.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 96, by Senator Taylor: An act amending section

822, volume 2, Hill's Annotated Statutes and Codes of Washington, relating to notice to a party after appearance in an action.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 97, by Senator Taylor: An act relating to claims against the estates of infants, insane and incompetent persons.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 98, by Senator Dorr: An act to appropriate for the support of fire departments certain taxes paid by fire insurance companies.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 99, by Senator Range: An act defining trusts, and providing a penalty and punishment of corporations, persons, firms, associations or persons connected with them, and making void all contracts entered into for the purpose, and to promote free competition in the State of Washington; making persons concerned in and violating the act competent witnesses, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 100, by Senator Taylor: An act amending section 4528, volume 2, Hill's Annotated Codes and Statutes of Washington, relating to redemption of real estate sold under execution and decrees.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 101, by Senator Range: An act providing that railway and other corporations shall be liable for damages to all persons, including employes, who shall be injured by the negligence or willful wrongs of commission, or omission, of their agents or employes; prohibiting settlements with persons injured, without the advice of an attorney; making contracts restricting liability

illegal, and declaring it illegal for agents, employes and physicians of a corporation to suggest settlement while the injured person is confined to his bed, and declaring contracts entered into upon such suggestions illegal and void; and declaring an emergency to exist.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

GENERAL FILE.

The motion of Senator Plummer to reconsider the vote by which Senate bill No. 5 was passed, made on Saturday, January 23, 1897, was unanimously carried.

On motion of Senator Houghton, the bill was made a special order for Monday, February 1, 1897.

On motion of Senator Taylor, the secretary was instructed to procure the bill from the House.

Senator Taylor moved that when the Senate adjourn, it be until 9:30 o'clock A. M. to-morrow.

The motion was carried.

House memorial No. 2, by Representative A. S. Bush: Providing for the election of United States senators by direct vote of the people.

The memorial was read the first and second times; and, on motion of Senator Easterday, referred to the Committee on Memorials.

On motion of Senator Houghton, the memorial was ordered printed.

Senator Plummer moved to reconsider the vote by which the motion that, when the Senate adjourn, it be until 9:30 o'clock A. M. to-morrow, was carried.

The motion was carried.

Senator Taylor withdrew his motion.

On motion, the Senate adjourned until 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

SIXTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 26, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Houghton.

The journal of yesterday was read and approved.

Senator T. J. Miller was excused for being absent from the morning session of yesterday.

The secretary read the two following communications, from the warden and board of directors of the state penitentiary, respectively.

STATE PENITENTIARY, WARDEN'S OFFICE,
WALLA WALLA, WASH., January 21, 1897.

Hon. Thurston Daniels, President of the Senate, Olympia, Wash.:

DEAR SIR—Since it has been called to my attention that rumors and charges of irregularities and mismanagement in the affairs of the state penitentiary, have been brought to the notice of the Senate for their consideration, I earnestly request that a committee be appointed to inquire into the true condition of affairs at this institution.

Very respectfully, THOMAS MOSGROVE, Warden.

STATE PENITENTIARY, BOARD OF DIRECTORS,
WALLA WALLA, WASH., January 21, 1897.

Hon. Thurston Daniels, Lieutenant Governor and President of the Senate, Olympia, Wash.:

DEAR SIR—We earnestly request that some action be taken in relation to the rumors and charges of irregularities and mismanagement in the affairs of the state penitentiary, which have lately been called to the attention of the Senate.

We court an investigation, and trust that a committee will be appointed at the earliest opportunity.

Very respectfully, C. E. NYE, Director.

On motion of Senator Crow, the communications were placed on file.

The president announced that the time had arrived for special

order of consideration of vetoed Senate bill No. 196, An act for the relief of John Dorsey, and making an appropriation therefor.

The bill and veto message were read in full by the secretary; and, on motion of Senator Baum, the bill was made a special order for Friday, January 29, 1897, at 10 o'clock A. M.

The following is the veto message:

VETO MESSAGE ON SENATE BILL No. 196.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 22, 1895.

Honorable J. H. Price, Secretary of State:

SIR—Without approval, I herewith transmit Senate bill No. 196, entitled "An act for the relief of John Dorsey, and making an appropriation therefor," with objections subjoined. The relief in question is a prescribed payment out of the state treasury of \$168, with added interest at 8 per cent. to date, from April 2, 1891, and of the sum of \$90.75 with added interest at the same rate from March 14, 1892, to date. The two amounts specified were paid by John Dorsey as installments of principal on state school land contract No. 401, covering the southwest quarter of section 16, township 21 north, of range 37 east, and subsequent to appraisal, and the sale regular in all particulars. Relief was sought through legislative enactment ostensibly on the ground that the Lincoln county court declared the sale invalid, because of alleged non-appraisal of the land. The record of the state land department discloses the fact that the appraisal was made in accordance with law, and is so filed. Two sound reasons support the disapproval of this bill. In the first place, not a single fact in connection with this transaction justifies the claim of the purchaser for indemnity or reimbursement, and, secondly, the precedent sought to be established is vicious.

Dorsey bid for and bought the tract of school land described in a regular manner; the state issued in good faith a contract for a deed, premised on ultimate payment of principal, together with accrued interest, in installments, as provided for by law. Having paid two installments, Dorsey appealed to the state land department for a return of the money on the pretext that he was dispossessed of the property by one J. Revenaugh. Under opinion of the attorney general, he was advised that Revenaugh was a "trespasser against whom the purchaser had the same remedy under the law that any other person is entitled to whose premises are unlawfully detained by another."

According to the abstract furnished by the United States land office, Revenaugh, under homestead entry No. 3718, applied for the east half of the southwest quarter of section 16, township 21 north, of range 37 east, December 1, 1883, alleging settlement October 1, 1871. Final proof was offered March 6, 1889. It was rejected by the land office. This decision was affirmed by the general land office May 28, 1889, and the applicant was so notified under date of June 15, 1889. Without further appeal homestead entry No. 3718 was canceled November 2, 1891.

Under the act of the legislature approved March 26, 1890, the commissioners of Lincoln county filed in the office of the commissioner of public lands on August 18, 1890, a report of appraisement of school lands, including the southwest quarter of section 16, township 21 north, of range 87 east, and the appraisement was approved by the state land commission on October 21, 1890. This quarter section was appraised at \$10.50 per acre, with the further notation by the county commissioners that the east half thereof was claimed by one J. Revenaugh, but found through the land office at Spokane Falls that his application for final proof was rejected December 27, 1890. John Dorsey bid in the quarter section described at the appraised value, the sale was approved by the state land commission February 26, 1891, and thereupon contract was issued to Dorsey. At the date of sale Dorsey paid \$168 as first installment of principal, and March 14, 1892, after Revenaugh's homestead application had been canceled several months, he paid his second installment, \$90.75. Prior to paying the second installment of principal, and pending the final cancellation of the homestead entry, Dorsey had commenced against Revenaugh an action for ejectment, so that when he paid this second installment in pursuit of his purpose to complete the purchase he must have been fully apprised of the fact that title to the land was in the state. Plainly in this matter the state has been at no fault; and no grievance, loss or injury has been inflicted by the state or its agents.

Very respectfully yours, J. H. McGRAW, Governor.

On motion of Senator McReavy, vetoed Senate bill No. 153, "An act to provide for the establishment of a state road through the Cascade mountains via Natchez Pass, to connect Eastern and Western Washington; for the appointment of a board of commissioners to superintend the construction and maintenance of the same, and making an appropriation therefor," was taken up for consideration.

The bill and veto message were read in full by the secretary, and, on motion of Senator Keith, the bill was made a special order for Friday, January 29, 1897, at 10:30 o'clock A. M.

The following is the veto message:

VETO MESSAGE ON SENATE BILL No. 153.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 23, 1895.

Honorable J. H. Price, Secretary of State:

SIR—Herewith I transmit Senate bill No. 153, entitled "An act to provide for the establishment of a state road through the Cascade mountains in Natchez Pass to connect Eastern and Western Washington; for the appointment of a board of commissioners to superintend the construction and maintenance of the same, and making appropriation therefor," without my approval.

The first and most serious consideration prompting objection to this bill is the fact that it opens wide another avenue to an indefinite outlay of public moneys to be derived from direct taxation, at a crisis when it is obviously in the public interest not to undertake any new state enterprise involving present and future expenditures, in excess of the public revenue.

Another objection is that the appropriation provision of the bill marks a radical departure from the policy emphasized in the first legislative enactment on the subject of state roads. This very justly required the counties primarily concerned in the commercial benefits to result from the completion of the road to contribute funds toward defraying the costs of location. Inception of the work was conditioned on the prepayment to the state treasury of certain sums of money from the counties to be traversed. Senate bill No. 153 imposes no conditions of co-operation or financial aid on King, Pierce and Yakima, the counties whose domestic economy is especially to be promoted.

The experience of the state in going into the business of constructing and maintaining public highways is in the experimental stage. In Washington we have problems of construction and maintenance unknown to the road builders of other sections of the Union. The extravagance and ill management caused by haste in carrying out projects of internal improvement soon produces a reaction of public opinion fatal to the progress sure to be attained through thrifty and cautious methods. If we are to have several state roads provided for by laws which discriminate as between the obligations of the counties, and managed by separate commissioners, none of which has mastered the difficulties in the paths of all, we shall lose sight of the greater possibilities of wise and systematic development in the lesser contentions and strife of localities struggling for public appropriations.

The state road progressing out of the legislation of 1893 will open to the commerce of Puget Sound and the upper Columbia river, large mining, farming, grazing and lumber regions, now isolated from the public markets and impoverished in products for want of access to the channels of trade. It bisects a wilderness of the state and crosses an Indian reservation rich in minerals and arable lands, which is to be open for settlement at an early day. It follows no beaten paths, parallels no railroad. Almost its entire course lies through virgin country. Its character is pioneer. Until the success or failure of the state in executing this work is finally determined, prudence should dictate the inexpediency, and particularly should this be true at a time when tax burdens are becoming unbearable, of the further use of public funds in the construction of state roads. Very respectfully yours, J. H. MCGRAW, Governor.

Senator Miller, of Thurston, moved that the rules be suspended, and all of the vetoed Senate bills, which were made a special order for today, be taken up immediately in their order, and considered.

The motion was carried.

Vetoed Senate bill No. 290: An act to provide for compiling,

illustrating, electrotyping, printing, binding, copyrighting and distributing a state series of school text books, and appropriating money to pay the expenses thereof.

The bill and veto message were read in full by the secretary.

The following is the veto message:

VETO MESSAGE ON SENATE BILL No. 290.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 23, 1895.

Hon. J. H. Price, Secretary of State:

SIR—Herewith I transmit Senate bill No. 290, "An act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting and distributing a state series of school text books, and appropriating money to pay the expenses thereof," without my approval, for the following reasons:

The act provides that the state board of education shall compile or cause to be compiled at least sixteen separate school text books, and such others as the board, by a two-thirds vote, may deem necessary; that the board may either do the work of compilation itself or employ any well qualified person at a rate of compensation to be fixed by the board; that the printing, binding and all mechanical work must be done in the state, and that the paper, the cloth and other materials for binding can be bought only from residents of the state. It is made the duty of the board to copyright all the works, and the attorney general must bring actions to protect copyrights. When any of the books have been completed the contractor shall deliver them to the superintendent of public instruction, who shall distribute to county superintendents, who shall deliver them to scholars at the cost of printing, publishing and distribution, which latter is the cost of expressage. To do this work, an appropriation of \$50,000 is made, and the term of contract for the production of the books is made five years.

The prime objection to the approval of this act is that the appropriation is so inadequate that its expenditure would inevitably prove an extravagant waste. The amount, \$50,000, is intended to produce at least sixteen text-books in quantities sufficient to supply the school children of the State of Washington.

A careful, approximate, comparative estimate of the production of books sufficient to supply the enrolled scholars of this state, based on a similar exact estimate made for a sister state where the cost of production is very much less than here, as that state produces every article entering into the manufacture of a book, and this state does not, show that the cost of production, exclusive of the cost of authorship, compilation and illustrations, would be \$112,000; so that if the present act were allowed to become a law, and if nothing were allowed for compilation, authorship and illustration, less than one-half of the school children of the state could be supplied with school books. To take one example in one grade—the fifth in one county—Lincoln alone, it would cost on the

estimate referred to above \$684.80 to supply the books of one grade, and that without the costs of authorship and other costs referred to above.

As it would be a penal misdemeanor, under an act passed and approved at the present session of the legislature, to create a deficiency in producing the books, it will be seen that it would be impossible, under the act before me, to supply more than one-half of the scholars with books.

Another objection to approval of the act on the financial side is that it would cause a loss of the cost of the books now in use. Under the present contract, or a similar one, all books in use can be sold at a fair price, or "traded even," in case of a change of text-books. Again, the approval of this act would create a form of double taxation; the people of the state would have to pay the present appropriation of \$50,000, and then would have to pay for the books at the cost of production and the distribution.

Returning to the matter of authorship, compilation and illustration, which have been wholly excluded in the consideration of expense, an equally serious objection to the approval of the act arises. Children of the state should have the best books, not the cheapest. The preparation of text-books requires years of experience and thought. The present act perforce demands haste, and consequent carelessness. Furthermore, authors of good books could not afford to sell to this state alone, when they can get the whole country as a market. California, when she adopted a state series of school books, paid the highest salaries to her teachers and had some of the best in the country, yet her text-books are admittedly inferior. Consequently, it is a moral certainty that our text-books would not be the best in quality. I may state here that it is a known fact that out of some five hundred English grammars now in print, only five or six are successful enough to warrant a fair profit to their authors. The present act provides for the preparation of two grammars. It is not likely that we would get a successful one prepared, as it must be in haste, and for what must be a small fee. The authors of the best text-books receive large sums for their work. It is not unusual for \$5,000 or upwards to be paid an author for a single book. It is evident the best authors could not be procured to write our proposed series. The act provides that the board of education may prepare the series; in other words, the makers of the books have the authority to order the adoption of their own work, which is manifestly wrong. It is clear, therefore, to my mind that under the conditions I have recited, our children will not have the best books.

The contract books being limited in sales to buyers in this state, the cost per book, as compared with other books of only equal merit, will as surely be increased as a decreased divisor gives an increased quotient. It is clear that our children under the present act will not have the cheapest books.

A further objection is that there is no adequate and specific provision for the inspection of the finished books, and that the state board of education and the superintendent of public instruction are charged with the disbursement of so large a sum as \$50,000 almost without restriction and wholly without bonds.

In other states laws similar to the present act have been failures and have resulted in fraud. The presumption is that a similar result might follow here.

Under the act the children of the state would have neither the best nor the cheapest books, nor could they be fully supplied at all. The interests of the state are not properly safeguarded, and the taxation for school purposes will be materially increased. The act really defeats the purpose of its promoters.

Under an act which I have already approved, provision is made for a reletting of a contract for a uniform series of text books for the schools of the state for the next five years, at a rate which must be at least one-third less than the present rate. The act to which I refer will enable the people to profit by the present depressions of prices, and with the sharp competition which exists, will undoubtedly give the children of the state the very best books at the lowest possible cost; with the further advantage that their present books can be exchanged for four-fifths of the cost of the new books. For these reasons I withhold my approval.

Very respectfully yours, J. H. MCGRAW, Governor.

Senator Keith moved that the rules be suspended, and the bill indefinitely postponed.

The motion was lost.

The vote on the question, Shall the bill pass notwithstanding the governor's veto? resulted as follows: Yeas 2, noes 26, absent or not voting 6.

Those voting yea were: Senators Crow and Field — 2.

Those voting nay were: Senators Cole, Davis, Deckebach, Dorr, Easterday, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 26.

Absent or not voting: Senators Baum, Frink, Houghton, Lesh, Runner, and Taylor — 6.

Senator Dorr moved to take up vetoed Senate bill No. 8: An act to regulate the sale of property under execution and decrees.

The motion was carried.

The secretary read the bill, and the veto message in full, which reads as follows:

VETO MESSAGE ON SENATE BILL No. 8.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 22, 1895.

Hon. J. H. Price, Secretary of State:

SIR—I transmit herewith Senate bill No. 8, entitled "An act to regulate the sale of property under execution and decrees," together with my objections thereto.

I have carefully considered the provisions of this bill and am irresistibly led to the conclusion that so far as the same is intended to operate upon existing judgments, or upon existing contracts, express or implied, which have not merged into judgments, it is unconstitutional and void, because it contravenes section 10, article 1, constitution of the United States, which provides that "no state shall pass any law impairing the obligation of contracts," and also section 23, article 1 of our state constitution, which declares that "no law impairing the obligation of contracts shall ever be passed."

If there were anything on its face to indicate that the bill was intended to operate only upon contracts which should be entered into subsequent to its approval, or to judgments arising in actions ex delicto, no question could possibly arise as to its constitutionality, whatever might be said of the wisdom of the policy involved with its enforcement. That the legislature intended to give this measure a retroactive operation and had its provisions apply to existing judgments and upon pre-existing contracts which might hereafter be converted into judgments is evident, for the reasons that it is generally made applicable to all judgments, and contains no saving clause in favor of judgments or contracts heretofore rendered or made, and, also, because the bill unconditionally repeals all acts and parts of acts in conflict with its provisions, and declares an emergency for the reason that "the present law relating to the sales of property under execution is oppressive and unjust."

It is undoubtedly true that in modes of proceedings and forms to enforce contracts, and judgments rendered upon contracts, and prescribing the remedy generally, the legislature has control and may enlarge, limit or alter them, provided it does not deny a remedy, or so embarrass it with restrictions and conditions as to seriously impair the value of the "right."

The highest courts of last resort also generally hold that the laws in force when a contract is made, affording the creditor party a means of enforcing it, or providing a remedy for a breach thereof, are a part of the contract in such sense, and they further hold that a law passed after the contract was made, which annuls such laws or enfeebles them to such an extent that the creditor is deprived of his remedy, or clogs a remedy with conditions or restrictions so as to weaken its efficacy, is invalid.

The supreme court of the United States, in the case of *McCracken v. Hayward*, 2 How. 608, held that a statute of Illinois which prohibited property from being sold on execution for less than two-thirds the valuation made by appraisers, pursuant to the directions contained in the statute, impaired the obligation of contracts, and was inoperative upon executions issuing on judgments founded on contracts. The statute provided in substance that where any execution duly issued and levied on any property, the officer levying such execution should summon three householders, to be selected as therein provided, which householders, after being sworn, should fairly and impartially value the property levied upon, having reference to its cash value, and endorse the valuation upon the execution, or a separate paper attached thereto, signed by them; and

that upon offering such property for sale, it should not be struck off unless two-thirds of such valuation should be bid therefor. Other parts of the statute are not necessary to be stated.

After the rendition of the judgment and in the United States circuit court of Illinois in which the action was pending, the constitutionality of the statute was raised, and the court were divided in opinion as to whether the Illinois statute, which had been adopted by the court as one of its rules, regulating the sale of real property under execution, was invalid as impairing the obligation of a contract, and the case was certified to the supreme court of the United States for its decision. The latter court, in disposing of the constitutional question, announced the legal principle involved in that case as follows: "In placing the obligation of contracts under the protection of the constitution, its framers look to the essentials of the contract more than to the forms and modes of proceeding by which it was to be carried into execution; annulling all state legislation which impaired the obligation, it was left to the states to prescribe and shape the remedy to enforce it. The obligation of a contract consists in its binding force on the party who makes it. This depends on the laws in existence when it is made; these are necessarily referred to in all contracts and forming a part of them as a measure of the obligation to perform them by the one party, and the right acquired by the other. There can be no other standard by which to ascertain the extent of either, than that which the terms of the contract indicate, according to their settled legal meaning. When it becomes consummated, the law defines the duty and the right, compels one party to perform the thing contracted for, and gives the other the right to enforce the performance by the remedies then in force. If any subsequent law affect to diminish the duty or impair the right, it necessarily bears upon the obligation of the contract, in favor of one party, to the injury of the other; hence, any law which in its operation amounts to a denial or obstruction of the rights accruing by a contract, though professing to act only on the remedy, is directly obnoxious to the prohibition of the constitution."

This principle is so clearly stated and fully settled in the case of *Bronson vs. Kinzie*, decided at the last term, 1 How. 311, that nothing remains to be added to the reasoning of the court, or requires a reference to any other authority than what is therein referred to; it is, however, not to be understood by that, or any former decision of this court, all state legislation on existing contracts is repugnant to the constitution. It is within the undoubted power of state legislatures to pass recording acts, by which the elder grantee shall be postponed to a younger, if the prior deed is not recorded within the limited time, and the power is the same, whether the deed is dated before or after the passage of the recording act. Though the effect of such a law is to render the prior deed fraudulent and void as against a subsequent purchaser, it is not a law impairing the obligation of contracts; such, too, is the power to pass acts of limitation and their effect. Reasons of sound policy have led to the general adoption of laws of both descriptions and their validity cannot be questioned. The time and manner of their operation, the exceptions to them

and the acts from which the time limited shall begin to run, will generally depend on the sound discretion of the legislature, according to the nature of the titles, the situation of the country, and the emergency which leads to their enactment. Cases may occur where the provisions of a law may be so unreasonable as to amount to the denial of a right and call for the interposition of the court. 3 Pet. 290.

The obligation of the contract between the parties in this case was to perform the premises and undertakings contained therein, the right of the plaintiff was to damages for the breach thereof, to bring suit and obtain a judgment, to take out and prosecute an execution against the defendant till the judgment was satisfied, pursuant to the existing laws of Illinois. These laws giving these rights were as perfectly binding upon the defendant, and as much a part of the contract, as if they had been set forth in its stipulations in the very words of the law relating to judgments and executions.

If the defendant had made such an agreement as to authorize a sale of his property, which should be levied on by the sheriff, for such price as should be bid for it, at a fair public sale on reasonable notice, it would have conferred a right on the plaintiff which the constitution made inviolable; and it can make no difference whether such right is conferred by the terms or law of the contract. Any subsequent law which denies, obstructs or impairs this right, by superadding a condition that there shall be no sale for a sum less than the value of the property levied on, to be ascertained by appraisement, or any other mode of valuation than a public sale, affects the obligation of the contract as much in the one case as the other, for it can be enforced only by a sale of the defendant's property, and the prevention of such sale is a denial of the right. The same power in a state legislature may be carried to any extent, if it exists at all; it may prohibit a sale for less than the whole appraised value or for three-fourths or nine-tenths, as well as for two-thirds, for if the power can be exercised to any extent its exercise must be a matter of uncontrollable discretion in passing laws relating to the remedy, which are regardless of the effect on the right of the plaintiff. This was the ruling principle of the case of *Bronson vs. Kinzie*, 1 How. 311, which arose on a mortgage containing a covenant that, in default of payment, the mortgagee might enter upon, sell and convey the mortgaged premises as the attorney of the mortgagor; yet the case was not decided on the effect and obligation of that covenant, but on the broad and general principle that a state law, which professedly provided a remedy for enforcing the contract of mortgage effectually impaired the rights incident to and attached to it by the laws in force at its date, was void. No agreement or contract can create more binding obligations than those fastened by the law, which the law creates and attaches to contracts; the express power which the mortgagor confers on the mortgagee to sell as his agent is not more potent than that which the law delegates to the marshal to sell and convey the property levied on under an execution.

He is the constituted agent of the defendant, invested with all his powers for these purposes. The marshal can do under the authority of

the law whatever he could do under the fullest power of attorney from the execution debtor, and no state law can prohibit it. It follows that the law of Illinois now under consideration so far as it prohibits a sale of less than two-thirds of the appraised value of the property levied on, is unconstitutional and void.

No reason obtains why the law in the above case is not equally applicable to the cases contemplated by Senate bill No. 8. The latter is even much more favorable to the judgment debtor than the statute of Illinois above referred to, and invades to a greater extent the rights of existing contract creditors under the laws of this state now in force. The following cases recited in the supreme court of the United States show the uniformity with which that tribunal has adhered to the general principle of law as laid down in the case above cited: *Fletcher vs. Peck*, 6 Cranch, Rep. 37; *Green vs. Biddle*, 8 Wheaton, Rep. p. 1; *Sturges vs. Crowenshield*, 4 Wheaton, Rep. 122; *Brownson vs. Kinzie*, 1 How. 311; *Curran vs. Arkansas*, 13 How. 311; *Freeman vs. Howe*, 24 How. 451; *Hawthorne vs. Calef*, 2 Wallace, 10; *White vs. Hart*, 13 Wallace, 646; *Walker vs. Whitehead*, 16 Wallace, 315; *Gunn vs. Barry*, 15 Wallace, 610; *Edwards vs. Kearsey*, 96 U. S. Rep. 595; *Penniman's Case*, 103 U. S. 714; *Louisiana vs. New Orleans*, 102 U. S. Rep. 205; *Anthony vs. Greenhom*, 107 U. S. Rep. 769.

While I am convinced that Senate bill No. 8 is unconstitutional for the reasons above stated so far as it relates to existing contracts and judgments, it might be valid as to all contracts, express and implied, made after it became a law by executive approval. It is also probably true that it might be valid as to all judgments hereafter rendered in actions ex delicto, although the tort was committed prior to the passage of this bill.

Mr. Cooley, in his *Treatise on Constitutional Limitations*, gives his general views on this subject as follows: "A legislative act may be entirely valid as to some classes of cases and clearly void as to others. A law might be void as violating the obligation of existing contracts, but valid as to all contracts which should be entered into subsequent to its passage, and which, therefore, would have no legal force except such as the law itself would allow. In any such case, the unconstitutional law must operate as far as it can, and it will not be held invalid on the objection of a party whose interests are not affected by it in any manner which the constitution forbids. If there are any exceptions to this rule, they must be of cases only where it is evident, from a contemplation of the statute and of the purpose to be accomplished by it, that it would not have been passed at all except as an entirety, and that the general purpose of the legislature will be defeated if it shall be held valid as to some cases and void as to others." Cooley on Constitutional Limitations, 5th edition, p. 215.

The learned author states the exceptions to the rule above set forth as they must be ascertained by the judicial department of the government, whose inquiry is limited by what is indicated on the face of the act as to the intention of the legislature, and by such facts as are within the realm of judicial notice and knowledge.

It would be conceded generally that the executive, as an integral part of the law making power, has a wider range of inquiry before him. What was the general purpose to be accomplished by the legislature in the passage of this bill? Would the legislature have passed the bill, if its operation, in their judgment, was only confined to such contracts as were made after it received the approval of the governor, and upon which hereafter judgments might be rendered? Was it not the controlling motive uppermost in the minds of the legislators in their regard for the distressed condition of many of our citizens who were laboring under financial burdens and unable to meet their obligations, to afford a present measure of relief to existing debtors, and to prevent a ruinous sacrifice of their property, which already had suffered a great shrinking in value, in addition to imposing a deficiency judgment, remaining over to further embarrass the unfortunate debtor? Viewing the situation in the light of surrounding circumstances, it would seem that the legislature, by the passage of Senate bill No. 8, intended to provide a remedy which would apply retrospectively and prospectively to all judgments, and that it is extremely doubtful whether or not this bill would have passed if the constitutional prohibition as to the invalidity of the laws impairing the obligation of contracts had been fully discussed and considered. If the executive should approve this bill, it seems to be settled under the law, as expounded by the supreme court of the United States, that it cannot apply to any contracts made at the time of its approval, or to any judgment rendered on them. Thus it would fail to accomplish the beneficent purpose of the legislature, which was to provide immediate relief for existing debtors. The practical question then arises, What will be the effect upon the financial situation, in case of executive approval of this bill? There has matured, or will shortly mature, a large indebtedness, reaching into millions of dollars, arising out of loans made in nearly all the large cities, and secured by mortgages on the most valuable property therein, held by parties non-resident, who have regarded this state as an attractive field for investment. In many instances, these creditors have considerably forborne the right to press the mortgage debtors, and have allowed the interest, taxes and insurance to remain unpaid, in the hope that the cloud of adversity would lift, and that a new era of prosperity would enable the borrowers to pay their indebtedness, or make some arrangement that would prevent the sacrifice of the security. Many of these creditors have consented to extend their loans for a long time, after making a contract for the renewal of these obligations.

In all probability, the approval of this bill would precipitate proceedings for the foreclosure of mortgages in all parts of the state, and contrary to the very intention of the measure inflict hardship and misery upon the unfortunate debtors. It would prevent the renewal of mortgage loans because that requires a new contract, upon which Senate bill No. 8, if it became a law, would operate, if carried into judgment. It would tend to prevent the investment in this state of capital from abroad, and to drive away the enterprising investor, whose money is needed to develop our resources.

It would hamper, restrict and restrain commercial dealings and intercourse among our own citizens. It would make an era of cut-throat, iron-clad contracts, which would enable the unscrupulous and greedy money lenders to prey upon the unfortunate victims, who under stress of necessitous circumstances would be driven to them for temporary relief. It would tend to prostrate our industrial interests, and retard our growth.

In view of the foregoing, I am constrained to withhold my approval of said bill. Very respectfully yours, J. H. McGRAW, Governor.

On motion of Senator Warburton, the Senate retired to the House at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

President pro tem. Plummer called the joint session to order at 12 o'clock m.

The secretary of the Senate called the Senate roll, and the clerk called the roll of the House; all members being present except Representatives Baker S. W. and Hargrave.

On motion, the reading of the journal of the joint session of yesterday was dispensed with, and the journal approved.

The secretary called the roll for the sixteenth joint ballot on the election of a United States senator, which resulted as follows:

SIXTEENTH JOINT BALLOT.

Charles E. Cline received thirty-nine votes.

Thurston Daniels received two votes.

Arthur A. Denny received twenty-six votes.

Watson C. Squire received five votes.

George Turner received thirty votes.

Richard Winsor received one vote.

John R. Rogers received three votes.

J. W. Maple received three votes.

C. V. Alexander received one vote.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Freeman, Gilkey, High, Hill, Hodgdon, Hooper, Irvin, Jory, Koehler, Land, Lindstrom, Lusher, Mitchell, Moore, Parker, Phelps, Ross, Runner, Smith C., Smith H. D., Smith P. M., Tobiassen, Van Patten, Way, Windust, Winsor, and Witt — 39.

Those voting for Thurston Daniels were: Range and Mr. Speaker — 2.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding—26.

Those voting for Watson C. Squire were: Forbes, Kincaid, Likins, Richmond, and Williams—5.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Mathiot, Mentzer, Miller David, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, Warner, Wolf, and Yeend—30.

Representative Wilkeson voted for Richard Winsor.

Those voting for John R. Rogers were: de Mattos, Miller T. J., and Mohundro—3.

Those voting for J. W. Maple were: Merrifield, Pierson, and Plummer—3.

Representative Reinhart voted for C. V. Alexander.

No candidate having received a majority of the votes, the president declared that there was no election.

The following resolution, introduced by Senator T. J. Miller, failed of adoption:

WHEREAS, The people of the state have a right to demand a speedy settlement of this senatorial question at the hands of this legislature:

Resolved, That the majority party in this legislature should meet in caucus, select an able man to represent this state in the United States senate, elect him and end a controversy which, in a great measure, prevents the careful consideration of important questions.

The clerk called the roll for the seventeenth joint ballot on the election of a United States senator, which resulted as follows:

SEVENTEENTH JOINT BALLOT.

Charles E. Cline received forty-two votes.

Thurston Daniels received two votes.

Arthur A. Denny received twenty-six votes.

Watson C. Squire received five votes.

George Turner received thirty votes.

Richard Winsor received three votes.

John R. Rogers received two votes.

Those voting for Charles E. Cline were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards

J. M., Edwards J. O., Field, Freeman, Gilkey, Hill, Hooper, Irvin, Jory, Koehler, Land, Lindstrom, Lusher, Mitchell, Moore, Parker, Phelps, Pierson, Reinhart, Richmond, Ross, Runner, Smith C., Smith H. D., Smith P. M., Tobiassen, Van Patten, Warner, Way, Windust, Winsor, and Witt — 42.

Those voting for Thurston Daniels were: Range and High — 2.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for Watson C. Squire were: Forbes, Kincaid, Linkins, Merrifield, and Williams — 5.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Mathiot, Mentzer, Miller David, Mohundro, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, Wolf, and Yeend — 30.

Those voting for Richard Winsor were: Plummer, Wilkeson, and Mr. Speaker — 3.

Those voting for John R. Rogers were: de Mattos and Miller T. J. — 2.

No candidate having received a majority of the votes, the president declared that there was no election.

On motion of Representative Williams, the joint session dissolved.

President Daniels called the Senate to order at 12:45 o'clock P. M.

On motion of Senator Yeend, the Senate adjourned until 2:30 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Houghton and Yeend, who were excused.

Vetoed Senate bill No. 8 was again taken up for consideration.

The vote on the question, Shall the bill pass notwithstanding the governor's veto? resulted as follows: Yeas 14, nays 16, absent or not voting 4.

Those voting yea were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, McReavy, Miller T. J., Paul, Plummer, Range, Runner, and Taylor—14.

Those voting nay were: Senators Baum, Deckebach, Dorr, Easterday, Frink, Hall, Harper, Lewis, Megler, Miller David, Pusey, Rinehart, Warburton, Washburn, Wilson, and Wooding—16.

Absent or not voting: Senators Houghton, Lesh, Van Patten, and Yeend—4.

The clerk of the House read the following message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

The speaker of the House has signed House concurrent resolution No. 10, In relation to an investigation of the state penitentiary at Walla Walla, and the same is herewith sent to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed House concurrent resolution No. 10: House resolution by Committee on Penitentiary.

On motion of Senator McReavy, the Senate adjourned until tomorrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

SEVENTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 27, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of the previous day was read and approved.

Vetoed Senate bill No. 320: An act in relation to the legislative manual.

The bill and the veto message were read in full.

VETO MESSAGE ON SENATE BILL No. 320.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 23, 1895.

Honorable J. H. Price, Secretary of State:

SIR—Herewith I transmit Senate bill No. 320, "An act in relation to the Legislative Manual," without my approval, for the following reasons:

The act, although having no specific appropriation on its face, in fact creates an appropriation of probably not less than \$2,000, which, by the terms of the act would necessarily be expended from the public printing appropriation. The estimates for public printing on which the appropriation was based were so low that any additional expense would most seriously cripple other and more pressing work. Therefore, I am constrained to withhold my approval.

Very respectfully, J. H. McGRAW, Governor.

The vote on the question, Shall the bill pass notwithstanding the veto of the governor? resulted as follows: Yeas 1, nays 24, absent or not voting 9.

Senator Range voted yea.

Those voting nay were: Senators Cole, Crow, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Runner, Van Patten, Washburn, and Wilson—24.

Absent or not voting: Senators Baum, Davis, Deckebach, Keith, Lesh, Taylor, Warburton, Wooding, and Yeend—9.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 11, entitled "An act to amend section 4 of an act entitled 'An act amending sections 356 and 361 of chapter 3, title 8; also, sections 367, 379, 384, 385, 390 and 391 of chapter 3, title 8; also, sections 397 and 401 of chapter 4, title 8; also, sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Codes and Statutes of Washington; also, amending section 380, volume 1, Hill's Annotated Codes and Statutes,' as amended by section — of chapter 91 of the Laws of 1893, in relation to elections; approved March 21, 1895, and declaring an emergency,"

have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. A. DAVIS.

DANIEL PAUL.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to authorize and regulate primary elections of voluntary political associations; to provide for punishment of frauds therein,' approved March 21, 1895, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. A. DAVIS.

DANIEL PAUL.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 7, entitled "An act providing for the division of the State of Washington into congressional districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. A. DAVIS.

DANIEL PAUL.

E. W. TAYLOR.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 26, entitled "An act to amend section 463 of volume 1, Hill's Annotated Statutes and Codes of Washington, in regard to furnishing election officers with registration books," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. A. DAVIS.

DANIEL PAUL.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act to amend sections 1075-76 of volume 2, Hill's An-

notated Statutes and Codes of Washington, relating to the order of payment of debts of decedents," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Wilson, Dorr, Warburton, Plummer, and Houghton.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 13, entitled "An act relating to assignments and satisfaction of mortgages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 2 of the printed bill strike out all of line 3. That section 3 be amended to read as follows: Sec. 3. An emergency exists for this act, and it shall take effect immediately.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Wilson, Plummer, Houghton, and Warburton.

The report was adopted.

REPORTS OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 59, a substitute for Senate bill No. 23, entitled "An act to validate marriages solemnized by a competent person, or persons, in the presence of witnesses, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

R. C. WASHBURN.

W. B. FIELD.

On motion of Senator Taylor, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 25, entitled "An act defining false pretenses, fixing the punishment, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

On motion of Senator Taylor, the report was adopted.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 9, entitled "An act providing for the sale of real property to foreclose liens created for internal improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by: Senators Washburn, Taylor, Lewis, Dorr, Warburton, Plummer, Houghton, and Wilson.

On motion of Senator Plummer, Senate bill No. 9, referred to in the foregoing report, was made a special order for to-morrow at 2:30 o'clock P. M.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 30, entitled "An act to amend section 1439 of the General Statutes and Codes of the State of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 1, line 5 of the printed bill, strike out the word "or" after the word "filing," and insert in lieu thereof the word "for;" strike out the word "recording," in the same line, and insert in lieu thereof the word "record;" in line 6 of said section strike out the words "or recorded" after the word "filed;" and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by: Senators Washburn, Taylor, Lewis, Dorr, Warburton, Plummer, Wilson, and Houghton.

On motion of Senator Houghton, the report was adopted.

On motion of Senator Taylor, the secretary was instructed to prepare and furnish for the senators a daily calendar.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 3, entitled "An act prohibiting the acceptance, using or tendering of free passes, franking privileges, or discrimina-

tions in passenger, freight, telegraph and telephone rates, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Strike out the words "and declaring an emergency," in the title. Insert, after the word "state," in line 2 of section 1 of the printed bill, "or any editor, or other person who is or hereafter may be connected with any newspaper in this state." In line 7 of section 1, strike out the words, "be deemed guilty of a felony and." In line 8 of section 1, strike out the third word, "shall."

Insert after the word "state," in line 2 of section 2, "or to any editor, or other person who is or hereafter may be, connected with any newspaper in this state." In line 5 of section 2, strike out "also be deemed guilty of a felony and." After the word "conviction," in the same line, strike out "shall."

Strike out section 3.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

W. E. RUNNER.

T. J. MILLER.

DAVID MILLER.

F. M. BAUM.

J. C. VAN PATTEN.

C. W. DORR.

On motion of Senator Houghton, the report was laid on the table.

REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 6, entitled "An act amending section 28 of the Penal Code of the State of Washington, relating to the crime of rape," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by adding the following section: Sec. 2. Any person convicted of the crime of rape, as defined in section one (1) of this act, shall be punished by imprisonment in the penitentiary for life, or any term of years; and that it do pass as amended.

Respectfully submitted.

We concur in this report:

J. C. VAN PATTEN, Chairman.

R. C. WASHBURN.

W. B. FIELD.

On motion of Senator Taylor, the report was adopted.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of A. W. Wisner for stamps and box rent, amounting to \$186.25, have

had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed in full.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

S. WARBURTON.

J. A. DAVIS.

L. C. CROW.

On motion of Senator Plummer, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of the Olympia Light and Power Company for shades and lamps of \$22.25, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

S. WARBURTON.

On motion of Senator T. J. Miller, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of Allen Muirhead for two cords of wood of \$5, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

S. WARBURTON.

On motion of Senator Davis, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of H. Sabin for repairs and supplies, amounting to \$29.40, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed in full.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

S. WARBURTON.

On motion of Senator T. J. Miller, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was re-committed bill of James Dofflemeyer for carpenter work, lumber and locks, amounting to \$23.85, have had the same under consideration, and we respectfully report the same back to the Senate, with the same recommendations as before, viz., that the bill be reduced \$3 on labor, and \$2 on lumber, and the same be allowed in the sum of \$18.85.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

S. WARBURTON.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of Charles Storrs for one load of wood, \$2.50, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

S. WARBURTON.

On motion of Senator Range, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of A. W. Wilson for cartage on stationery and bills, 50 cents, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

S. WARBURTON.

On motion of Senator Range, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was re-committed the bill of Jacob L. Brown for sundries amounting to \$11.70, have had the same under consideration, and we respectfully report the same

back to the Senate, with the recommendation that the clothes brush be returned, and the balance of bill, \$10.20, be allowed in full.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

S. WARBURTON.

On motion of Senator Range, the report was adopted.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 47, entitled "An act fixing and prescribing the liabilities of companies and corporations operating railways within the State of Washington for negligence or wrongs of employes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

W. E. RUNNER.

T. J. MILLER.

DAVID MILLER.

J. C. VAN PATTEN.

C. W. DORR.

On motion of Senator Plummer, the report was laid on the table.
The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

The House has passed House bill No. 27, by Mr. Guie, An act relating to exemptions in cases of assignments for the benefit of creditors.

Also, House bill No. 153, by Mr. Land, An act making it unlawful to kill or poison honey bees.

Also, House bill No. 72, by Mr. Conine, An act to prohibit the manufacture, sale, purchase or gift of cigarettes, cigarette paper, or cigarette wrapper, and providing a penalty therefor, and declaring an emergency.

Also, House bill No. 28, by Mr. Guie, An act entitled "An act for the protection and welfare of children."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

The House has passed House bill No. 38, by Mr. Hansen, An act relating to an act to prevent vivisection and regulate dissections in the schools of the State of Washington, except medical and dental schools, or medical departments of any school, and providing a penalty therefor, and the same is herewith transmitted. S. P. CARUSI, Chief Clerk.

REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred concurrent resolution No. 4, entitled "An act relative to the filing of an affidavit that any candidate for United States senator has used no money directly or indirectly to influence the vote of any member of the legislature," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

On motion of Senator Plummer, the report was adopted.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1897.

MR. PRESIDENT:

We, your Committee on Corporations Other than Municipal, to whom was referred Senate bill No. 24, entitled "An act relating to negligence," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendment: Strike out in lines 1 and 2 of section 5 of the printed bill the words, "In all actions for damages done to persons or property, proof of the injury inflicted shall be prima facie evidence of negligence. And."

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

W. E. RUNNER.

T. J. MILLER.

DAVID MILLER.

J. C. VAN PATTEN.

C. W. DORR.

On motion of Senator Taylor, the report was adopted.

REPORTS OF COMMITTEE ON LABOR AND LABOR STATISTICS.**SENATE CHAMBER,****OLYMPIA, WASH., January 27, 1897.****MR. PRESIDENT:**

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 20, entitled "An act to amend sections 3122 and 3124 of volume 1, Hill's Annotated Code of Washington, relating to laborers' liens and claims," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. G. MILLER.**SENATE CHAMBER,****OLYMPIA, WASH., January 27, 1897.****MR. PRESIDENT:**

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 56, entitled "An act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same, and for using counterfeits of the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.**SENATE CHAMBER,****OLYMPIA WASH., January 27, 1897.****MR. PRESIDENT:**

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 4, entitled "An act to prevent coercion and black-listing of employes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that section 1 be stricken out, for the reason that the ground is covered in sec. 125, Hill's Code, vol. 2; and we further recommend that the words "coercion and" be stricken out of the title of the act; that section 2 become section 1, and section 3 become section 2; and we recommend its passage as amended.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.

On motion of Senator Plummer, the bill was re-committed to the Committee on Labor and Labor Statistics.

SENATE CHAMBER,**OLYMPIA, WASH., January 27, 1897.****MR. PRESIDENT:**

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 21, entitled "An act amending section 2411, vol. 1

of Hill's Annotated Code of Washington, in relation to an act for bond of contractors for security of laborers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that we are of the opinion that the matter is covered in section 2415 of vol. 1, Hill's Code.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 27, 1897.

President of the Senate, Senate Chamber, Olympia, Wash:

SIR—An act of the legislature of 1891 constituted a commission, consisting of governor, state auditor and state treasurer, to lease accommodations for state offices. Pursuant to this act, the quarters now occupied by the state officers were leased from T. I. McKenny for a period of six years from August 1, 1891, with the privilege of two years additional at the same rate, payable quarterly. The rental is \$6,600 per annum. The lease expires July 1, 1897.

The commission is not authorized to enter into a new contract for other accommodations. As all rentals have decreased very materially since the signing of the contract with Mr. McKenny, better terms for the state should be secured under a new contract with Mr. McKenny, or other suitable accommodations obtained more advantageous to the state. After consideration of the subject, the commission in charge of the state offices has decided to recommend that a maximum offer might be made by your honorable body for the accommodations now in use.

Should the legislature fail to act in this matter, the state will be compelled to continue payment of \$6,600 per annum for office rent, which, under existing circumstances, is too high.

Very respectfully, J. R. ROGERS, Governor.

On motion of Senator T. J. Miller, the communication was referred to the Committee on Public Buildings and Grounds.

INTRODUCTION OF BILLS.

Senate bill No. 102, by Senator Keith: An act to provide for voting on constitutional amendments at the general election to be held in November, 1898, relating to exemption from taxation of homesteads, and making the same free from attachment, execution or sale for debt.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 103, by Senator Yeend: An act to amend sections 12 and 13 of an act entitled "An act to define, regulate and govern the state penitentiary," and declaring an emergency.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

President pro tem. Plummer was called to the chair.

Senate bill No. 104, by Senator Yeend: An act to amend section 14 of an act entitled "An act providing for the establishment and location of a state reform school, and to declare an emergency," approved March 28, 1890.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 105, by Senator Yeend: An act to amend section 3 of an act entitled "An act relating to the election of justices of the peace," approved February 2, 1888.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 106, by Senator Cole: An act providing for the purchase of stationery, desk supplies and furnishings required by the state, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Printing.

Senate bill No. 107, by Senator Range: An act permitting the original papers and judgment roll to be sent to the supreme court in case of appeal, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 108, by Senator Warburton: An act to prevent the unauthorized interference with electric meters, wires and cables, used for measuring and conducting electric currents.

The bill was read the first time; and, on motion of Senator Warburton, as amended by Senator T. J. Miller, the rules were

suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 109, by Senator Van Patten: An act to prohibit the driving or transporting of horses, mares, asses, cattle, goats, or sheep, from one county of the State of Washington into another, or from any other state for the purpose of pasturing on the public range; and to provide for the county commissioners of any county in the state aforesaid to grant license to any and all persons desirous of removing their stock into another county for the aforesaid purpose; and also to devise means for collecting and appropriating the same.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 110, by Senator Crow: An act to amend section 2 of an act entitled "An act extending the agricultural and grazing purposes, made under the acts of the legislature, approved March 28, 1890, and March 15, 1893, respectively, and declaring an emergency," approved March 7, 1895, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 111, by Senator Davis: An act repealing an act relating to legal publications.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Printing.

Senate bill No. 112, by Senator Crow: An act to provide for the dispensing of alcoholic, fermented or malt liquors by the State of Washington, and to make it unlawful for any one not an agent of the State to manufacture, deal in or dispose of any spirituous, malt or fermented liquor.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 113, by Senator Houghton: An act amending sections 15 and 16 of an act entitled "An act to provide for the enrollment of the militia, for the organization, maintenance and

discipline of the national guard of the State of Washington, and for the public defense, and entitled 'The Military Code,' and to repeal existing laws," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Military.

Senate bill No. 114, by Senator Houghton: An act to amend section 37 of chapter 127 of the Laws of 1893, of the State of Washington, entitled "An act to provide for the manner of commencing civil actions in the superior courts and bringing the same to trial," approved March 15, 1893.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 115, by Senator Frink: An act relating to penalty and interest on state, county and municipal taxes which became due and payable in the years 1894, 1895 and 1896, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Frink, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 116, by Senator Crow: An act relating to deficiency judgments.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 117, by Senator Runner: An act to protect employes and laborers in their claims for wages.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 118, by the Judiciary Committee: An act amending section 4 of an act entitled "An act in relation to attorneys and counselors at law, providing for admission to the bar," passed by the legislature of the State of Washington, and approved March 19, 1895.

The bill was read the first time; and, on motion of Senator East-day, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 119, by the Judiciary Committee: An act defining motions and orders.

The bill was read the first time; and, on motion of Senator East-
erday, the rules were suspended, the bill read the second time by
title, and placed on general file.

Senate bill No. 120, by the Judiciary Committee: An act to
amend section 3289 of the Code of 1881, relating to the removal
and suspension of attorneys.

The bill was read the first time; and, on motion of Senator East-
erday, the rules were suspended, the bill read the second time by
title, and placed on general file.

Senate bill No. 121, by the Judiciary Committee: An act amend-
ing section 1 of an act entitled "An act relating to new trials, and
amending section 282 of the Code of Washington of 1881, and re-
pealing sections 279 and 280 of said Code of 1881," approved Feb-
ruary 25, 1881, relating to new trials.

The bill was read the first time; and, on motion of Senator East-
erday, the rules were suspended, the bill read the second time by
title, and placed on general file.

The following resolution, introduced by Senator Van Patten,
was adopted:

WHEREAS, During the discussion of bills returned without approval of
the governor, it would be a convenience to members of the legislature if
the printed bills could be placed before them,

Resolved, That the printed bills of this session be preserved in the
general files after adjournment, for the use of the next legislature.

The following resolution was introduced by Senator Davis, and
amended by Senator Taylor:

Resolved, That the assistant secretary of the Senate be and he is hereby
instructed to assist the minute clerk during the time when he is not
otherwise officially engaged, and that committee clerks assist the bill
clerk.

On motion of Senator Dorr, the resolution was laid on the table.

The following resolution was introduced by Senator Keith:

WHEREAS, It is desirable that a clerk be designated to mail copies of
bills to persons applying to a Senator therefor,

Resolved, That Edward Johnson, an employe of the Senate, be ap-
pointed mailing clerk, without further compensation, to fill such orders
for copies of bills.

The resolution was adopted.

On motion of Senator Plummer, the Senate retired to the House at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock m. Speaker Cline was called into the chair to preside over the joint session.

The secretary called the roll of the Senate and the clerk called the roll of the House; all members being present except Representative S. W. Baker.

On motion of Senator Wilson, the reading of the journal of yesterday's joint session was dispensed with and the journal approved.

The clerk called the roll for the eighteenth joint ballot on the election of a United States senator, which resulted as follows:

EIGHTEENTH JOINT BALLOT.

Charles E. Cline received four votes.

Thurston Daniels received forty votes.

Arthur A. Denny received twenty-six votes.

Watson C. Squire received six votes.

George Turner received thirty-two votes.

Richard Winsor received one vote.

John R. Rogers received two votes.

Total number of votes cast, 111.

Those voting for Charles E. Cline were: Carr, Irvin, Range, and Richmond — 4.

Those voting for Thurston Daniels were: Baker F. R., Bush C. P., Canutt, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Freeman, High, Hill, Hodgdon, Hooper, Jory, Land, Lusher, Mitchell, Moore, Parker, Phelps, Pierson, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Taylor, Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, and Mr. Speaker — 40.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for Watson C. Squire were: Forbes, Kincaid, Koehler, Likins, Merrifield, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, Houghton, Johnston, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mohundro, McAtee, McReavy, Nelson, Paul, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Wolf, and Yeend — 32.

Senator Plummer voted for Richard Winsor.

Those voting for John R. Rogers were: de Mattos and Miller T. J. — 2.

No candidate having received a majority of the votes, the president declared that there was no election, and the clerk called the roll for the nineteenth joint ballot, which resulted as follows:

NINETEENTH JOINT BALLOT.

Thurston Daniels received forty-four votes.

Arthur A. Denny received twenty-six votes.

Watson C. Squire received six votes.

George Turner received thirty-three votes.

John R. Rogers received two votes.

Total number of votes cast 111.

Those voting for Thurston Daniels were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Freeman, High, Hill, Hodgdon, Hooper, Irvin, Jory, Koehler, Land, Lusher, Mitchell, Moore, Parker, Phelps, Pierson, Range, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Taylor, Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, and Mr. Speaker — 44.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for Watson C. Squire were: Forbes, Kincaid, Likins, Merrifield, Richmond, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mohundro, McAtee, McReavy, Nelson, Paul, Plummer, Roberts, Scott, Smith J. B., Hargrave, Stafford, Stuhrman, Wolf, and Yeend — 33.

Those voting for John R. Rogers were: de Mattos and Miller T. J.—2.

No candidate having received a majority of the votes, the president declared that there was no election.

Representative Marshall moved that the joint session dissolve.

The motion was lost.

The clerk called the roll for the twentieth joint ballot, which resulted as follows:

TWENTIETH JOINT BALLOT.

Thurston Daniels received forty-four votes.

Arthur A. Denny received twenty-six votes.

Watson C. Squire received six votes.

George Turner received thirty-three votes.

John R. Rogers received two votes.

Total number of votes cast 111.

Those voting for Thurston Daniels were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Freeman, High, Hill, Hodgdon, Hooper, Irvin, Jory, Koehler, Land, Lusher, Mitchell, Moore, Parker, Phelps, Pierson, Range, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Taylor, Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, and Mr. Speaker — 44.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for Watson C. Squire were: Forbes, Kincaid, Likins, Merrifield, Richmond, and Williams — 6.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, Houghton, Johnston, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mohundro, McAtee, McReavy, Nelson, Paul, Plummer, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Wolf, and Yeend — 33.

Those voting for John R. Rogers were: de Mattos and Miller T. J.—2.

No candidate having received a majority of the votes, the president declared that there was no election.

A motion to adjourn was lost.

The clerk called the roll for the twenty-first joint ballot, which resulted as follows:

TWENTY-FIRST JOINT BALLOT.

Thurston Daniels received forty-three votes.

Arthur A. Denny received twenty-six votes.

Watson C. Squire received six votes.

George Turner received thirty-three votes.

John R. Rogers received two votes.

Clark Davis received one vote.

Total number of votes cast 111.

Those voting for Thurston Daniels were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Freeman, High, Hill, Hodgdon, Hooper, Irvin, Jory, Koehler, Land, Lusher, Mitchell, Moore, Parker, Phelps, Pierson, Reinhart, Ross, Runner, Smith C., Smith H. D., Smith P. M., Taylor, Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, and Mr. Speaker—43.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding—26.

Those voting for Watson C. Squire were: Forbes, Kincaid, Likins, Merrifield, Richmond, and Williams—6.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hicks, Houghton, Johnston, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mohundro, McAtee, McReavy, Nelson, Paul, Plummer, Roberts, Scott, Smith J. B., Hargrave, Stafford, Stuhrman, Wolf, and Yeend—33.

Those voting for John R. Rogers were: de Mattos and Miller T. J.—2.

Senator Range voted for Clark Davis.

No candidate having received a majority of the votes, the chair declared that there was no election.

On motion, the joint session dissolved.

President Daniels called the Senate to order at 1 o'clock P. M.

On motion of Senator Plummer, the Senate adjourned until 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

EIGHTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 28, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Paul.

The journal of yesterday was read and approved.

The following resolution was introduced by Senator Keith:

WHEREAS, The House has seen fit to pay the assistant sergeant-at-arms the same salary as the sergeant-at-arms: therefore, be it

Resolved, That the assistant sergeant-at-arms receive the same salary as sergeant-at-arms in this body.

On motion of Senator David Miller, the resolution was laid on the table.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 28, 1897.

MR. PRESIDENT:

The House has passed House bill No. 6, by Mr. A. S. Bush, An act to amend an act entitled "An act to provide for annexing certain county territory to neighboring county to which it is contiguous," approved March 9, 1891, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 28, 1897.

MR. PRESIDENT:

□ The House has passed House bill No. 111, by Mr. Pierson, An act regulating and making it lawful for any farmer, gardner or other person, to

peddle, sell or deliver, free from all license, in any part of the state, and upon every day except Sunday, all fruits, vegetables or other farm or garden produce, making all ordinances in conflict void, and declaring an emergency.

Also, House bill No. 5, by Mr. A. S. Bush: An act entitled "An act defining the crime of rape, and prescribing punishment therefor," and repealing section 28 of the Penal Code of Washington, as numbered in Hill's Annotated Penal Code of Washington, and the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

INTRODUCTION OF BILLS.

Senate bill No. 122, by Senator Taylor: An act in relation to garnishments, and repealing sections 1, 2, 3, 4, 6, 7, 10 and 24 of an act entitled "An act in relation to garnishments," approved March 8, 1893, being sections of chapter 56 of the Session Laws of 1893.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 123, by Senator T. J. Miller: An act to amend section 1399 of Hill's Code, relating to community property.

The bill was read the first time; and, on motion of Senator Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 27, by Mr. Guie: An act to provide for exemptions in cases of assignments for the benefit of creditors.

The bill was read the first time; and, on motion of Senator Eastday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 28, by Mr. Guie: An act for the protection and welfare of children.

The bill was read the first time; and, on motion of Senator Eastday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

House bill No. 153, by Mr. Land: An act making it unlawful to kill or poison honey bees, and making it unlawful to place any poisoned sweetened substance where it is accessible to honey bees, and prescribing the punishment therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator East-

erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 38, by Mr. Hansen: An act to prevent vivisection and regulate dissection in the schools of the State of Washington, except medical and dental schools or medical departments of any school, and providing a penalty therefor.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

House bill No. 72, by Mr. Conine: An act to prohibit the manufacture, sale, purchase or gift of cigarettes, cigarette paper or cigarette wrappers, and providing a penalty therefor, and declaring an emergency.

The bill was read the first time.

Senator Pusey moved that the rules be suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senator Range moved as an amendment that it be referred to the Committee on Public Morals.

Senator Plummer moved as an amendment to the amendment that the bill be referred to the Committee on Education.

The amendment was carried, and the original motion, as amended, prevailed.

House bill No. 5, by Mr. A. S. Bush: An act to amend an act entitled "An act to provide for annexing certain county territory to a neighboring county to which it is contiguous," approved March 9, 1891.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

House bill No. 6, by Mr. A. S. Bush, of Pacific: An act prescribing punishment for rape and for carnal knowledge of any female under eighteen years of age, and repealing section 25 of the Penal Code of Washington, as numbered in Hill's Annotated Penal Code of Washington.

The bill was read the first time; and, on motion of Senator Taylor, was laid on the table.

House bill No. 111, by Mr. Pierson: An act regulating and making it lawful for any farmer, gardener, or other person, to

peddle, sell or deliver, free from all license, in any part of the state, and upon any day except Sunday, all fruits, vegetables and other farm or garden products, and all other eatables, making all ordinances in conflict void, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Plummer, as amended by Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

THIRD READING OF BILLS.

Senate bill No. 7, by Senator Taylor: An act providing for the division of the State of Washington into congressional districts.

On motion of Senator Taylor, the bill was laid on the table.

Senate bill No. 3, by Senator T. J. Miller: An act prohibiting the acceptance, using or tendering of free passes, franking privileges or discriminations in passenger, freight, telegraph and telephone rates, and declaring an emergency.

On motion of Senator Taylor, the bill was made a special order for Tuesday, February 2, at 10:30 o'clock A. M.

Senate bill No. 6, by Senator Taylor: An act amending section 28 of the Penal Code of the State of Washington, relating to the crime of rape.

The bill was read the third time; and, on motion of Senator Taylor, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Houghton, Paul, Pusey, Runner, and Wilson — 5.

President pro tem. Plummer was called to the chair.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Dorr, House bill No. 6, by Mr. A. S. Bush, "An act prescribing punishment for rape, and for carnal

knowledge of any female under eighteen years of age, and repealing section 25 of the Penal Code of Washington, as numbered in Hill's Annotated Penal Code of Washington," was indefinitely postponed.

Senator Easterday moved to reconsider the vote by which Senate bill No. 6 was passed.

The following resolution was introduced by Senator Crow:

Resolved, That the secretary of the Senate be requested to have 250 extra copies of Senate bill No. 70 printed.

The resolution was adopted.

Senate bill No. 11, by Senator Plummer: An act to amend section 4 of an act entitled "An act amending sections 356 and 361 of chapter 3, title 8; also sections 367, 379, 384, 385, 390 and 391 of chapter 3, title 8; also sections 397 and 401 of chapter 4, title 8; also sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Codes and Statutes of Washington; also amending section 380, volume 1, Hill's Annotated Codes and Statutes," as amended by section of chapter 91 of the Laws of 1893, in relation to elections; approved March 21, 1895, and declaring an emergency.

On motion of Senator Taylor, the bill was made a special order for Tuesday, February 2, 1897, at 2 o'clock P. M.

Senator Houghton, chairman of the Committee on Enrolled Bills, presented a verbal report, recommending that Miss Tannatt be substituted for the present enrolling clerk, and that her salary be fixed at \$4 per day.

Senator Taylor moved to amend the report by fixing the salary at \$4.50 per day.

The amendment was carried, and the report as amended was adopted.

Senator David Miller introduced the following resolution:

Resolved, That Della Smith be appointed docket clerk.

Senator Deckebach moved to amend the resolution as follows: That the secretary select from the three assistant clerks yet to be sworn in, one of the number as docket clerk.

The amendment was carried, and the original resolution, as amended, adopted.

Senator David Miller moved that the assistant clerks be sworn in. The motion was carried.

Senator Houghton moved that Miss Tannatt be sworn in as enrolling clerk.

The motion was carried.

President pro tem. Plummer administered the oath of office to Miss Tannatt, Goldie Conner and Della Smith.

Senate bill No. 12, by Senator Plummer: An act to repeal an act entitled "An act to authorize and regulate primary elections of voluntary political associations; to provide for punishment of frauds therein," approved March 21, 1895, and declaring an emergency.

On motion of Senator Easterday, the bill was made a special order for Tuesday, February 2, 1897, at 3 o'clock P. M.

Senate bill No. 13, by Senator Easterday: An act in regard to assignments, and satisfaction and cancellation of mortgages.

The bill was read the third time.

On motion of Senator Easterday, the emergency clause was stricken out.

The bill was referred to the Engrossing Committee.

On motion of Senator Dorr, the Senate retired to the House at 12 o'clock M. to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock M.

Speaker Cline, of the House, was called to the chair to preside over the joint session.

The secretary called the roll of the Senate, and the clerk called the roll of the House, all members being present, except Representative S. W. Baker, who was excused.

On motion, the reading of the journal of yesterday's joint session was dispensed with, and the journal approved.

The clerk called the roll for the twenty-second joint ballot on the election of a United States senator, which resulted as follows:

TWENTY-SECOND JOINT BALLOT.

Richard Winsor received forty-one votes.

George Turner received thirty-five votes.

Watson C. Squire received six votes.

Arthur A. Denny received twenty-six votes.

Charles E. Cline received three votes.

Total number of votes cast, 111.

Those voting for Richard Winsor were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Forbes, Freeman, High, Hill, Hodgdon, Hooper, Koehler, Land, Lusher, Miller T. J., Mitchell, Moore, Parker, Phelps, Pierson, Range, Reinhart, Runner, Smith C., Smith P. M., Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, and Mr. Speaker—41.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hicks, Houghton, Johnston, Jory, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mohundro, McAtee, McReavy, Nelson, Paul, Plummer, Roberts, Scott, Smith J. B., Hargrave, Stafford, Stuhrman, Taylor, Wolf, and Yeend—35.

Those voting for Watson C. Squire were: Kincaid, Likins, Merrifield, Richmond, Ross, and Williams—6.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding—26.

Those voting for Charles E. Cline were: de Mattos, Irvin, and Smith H. D.—3.

No candidate having received a majority of votes, the president declared that there was no election, and the clerk called the roll for the twenty-third joint ballot, which resulted as follows:

TWENTY-THIRD JOINT BALLOT.

Richard Winsor received forty-two votes.

George Turner received thirty-five votes.

Watson C. Squire received six votes.

Arthur A. Denny received twenty-six votes.

Charles E. Cline received two votes.

Total number of votes cast 111.

Those voting for Richard Winsor were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Forbes, Freeman, Gerry, High, Hill, Hodgdon, Hooper, Irvin, Land, Lusher, Merrifield, Miller T. J., Moore, Parker, Phelps, Pierson, Reinhart, Runner, Smith C., Smith P. M., Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, Yeend, and Mr. Speaker—42.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, Houghton, Johnston, Jory, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mitchell, Mohundro, McAtee, McReavy, Nelson, Paul, Plummer, Range, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, and Wolf — 35.

Those voting for Watson C. Squire were: Kincaid, Koehler, Likins, Richmond, Ross, and Williams — 6.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hansen, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for Charles E. Cline were: de Mattos and Smith H. D. — 2.

No candidate having received a majority of votes, the president declared that there was no election, and the clerk called the roll for the twenty-fourth ballot, which resulted as follows:

TWENTY-FOURTH JOINT BALLOT.

Richard Winsor received forty-four votes.

George Turner received thirty-five votes.

Watson C. Squire received four votes.

Arthur A. Denny received twenty-six votes.

Charles E. Cline received two votes.

Total number of votes cast 111.

Those voting for Richard Winsor were: Baker F. R., Bush C. P., Canutt, Carr, Caywood, Conine, Couch, Crow, Day, Edwards J. M., Edwards J. O., Field, Forbes, Freeman, Gerry, High, Hill, Hodgdon, Hooper, Irvin, Koehler, Land, Lusher, Merrifield, Miller T. J., Moore, Parker, Phelps, Pierson, Reinhart, Richmond, Runner, Smith C., Smith P. M., Tobiassen, Van Patten, Warner, Way, Wilkeson, Windust, Winsor, Witt, Yeend, and Mr. Speaker — 44.

Those voting for George Turner were: Baum, Bush A. S., Cole, Davis, Easterday, Fritz, Geraghty, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, Houghton, Johnston, Jory, Keith, Lindstrom, Mathiot, Mentzer, Miller David, Mitchell, Mohundro, McAtee, McReavy, Nelson, Paul, Plummer, Range, Roberts, Scott, Smith J. B., Stafford, Stuhrman, Taylor, and Wolf — 35.

Those voting for Watson C. Squire were: Kincaid, Likins, Ross, and Williams — 4.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Seymore, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting for Charles E. Cline were: de Mattos and Smith H. D.—2.

No candidate having received a majority of the votes, the president declared that there was no election.

On motion of Senator Plummer, the joint session dissolved.

President pro tem. Plummer called the Senate to order at 12:50 o'clock P. M.

On motion, the Senate adjourned until 10 o'clock A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

NINETEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 29, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of yesterday was read and approved.

President Daniels administered the oath of office to Miss Belle Knox, assistant enrolling clerk.

The following resolution was introduced by Senator Plummer:

Resolved by the Senate of the State of Washington, That, whereas, in the "Post-Intelligencer" of the 28th, there appeared an article purporting to have been an interview with one Dr. Calhoun in which the said Calhoun makes statements derogatory to the character of Senator W. H. Plummer,

and said Plummer demands an investigation, and if innocent, a vindication of said charges at the hands of this body: now, therefore, be it

Resolved, That the president appoint a committee of three senators to make a thorough investigation immediately and report to this body.

On motion of Senator Taylor, the resolution was adopted.

Vetoed Senate bill No. 196: An act for the relief of John Dorsey.

The bill and the veto message were read in full by the secretary.

On motion of Senator Baum, the bill was made a special order for Wednesday, February 3, 1897, at 10 o'clock A. M.

Senator Plummer moved to suspend the rules, and take up Senate bill No. 9, by Senator Plummer, An act providing for the sale of real property to foreclose liens created for internal improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency.

The motion was carried.

The bill was read the third time by sections.

On motion of Senator Range, section 3 was amended by striking out the word "five" in line 5 of printed bill.

Senator Taylor moved to strike out section 4.

The motion was carried.

On motion of Senator Lewis, section 5 of the printed bill, the same having become section 4 of the original bill, was amended by adding after the word "pay" in line 9, printed bill, the words "if unsuccessful."

On motion of Senator Range, the same section was amended by striking out the word "five" in line 10 of printed bill.

On motion of Senator Plummer, section 9 of the printed bill, the same having become section 8 of the original bill, was amended by adding after the word "four," in line 5 of the printed bill, the word "consecutive."

On motion of Senator Plummer, section 10 of the printed bill, the same having become section 9 of the original bill, was amended as follows: After the word "is" and before the word "sold," line 3 of the printed bill, add the words "or may be;" after the word "county," in line 4 of the printed bill, add the words "otherwise than as trustee for the holders of street grade warrants;" strike out all of line 7 after the word "purchaser," and all of line 8, printed bill.

On motion of Senator Houghton, section 11 of the printed bill, the same having become section 10 of the original bill, was amended as follows: After the word "acts," in line 4 of the printed bill, add the words "now or hereafter;" and after the word "perform," in the same line, add the words "in redemption of real estate from sale upon execution."

On motion of Senator Lewis, section 14 of the printed bill, the same being section 13 of the original bill, was amended by striking out the word "therebefore," in line 2, printed bill, and insert in lieu thereof the word "theretofore."

On motion of Senator Lewis, section 18 of the printed bill, the same having become section 17 of the original bill, was amended by adding the words "assessment or" after the word "the" and before the word "collection," in line 1 printed bill.

On motion of Senator Lewis, section 19 of the printed bill, the same being section 18 of the original bill, was stricken out, and the following inserted in lieu thereof: "An emergency exists and this act shall take effect immediately."

On motion of Senator Plummer, the bill was placed on its final passage.

The same was then passed by the following vote: Yeas 28, nays 2, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Easterday, Field, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, and Yeend — 28.

Those voting nay were: Senators Frink and Hall — 2.

Absent or not voting: Senators Deckebach, Dorr, Wilson, and Wooding — 4.

The emergency clause was passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Cole, Davis, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lewis, Megler, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wooding, and Yeend — 29.

Senator Frink voted nay.

Absent or not voting: Senators Deckebach, Dorr, Lesh, and Wilson — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Vetoed Senate bill No. 153: An act to provide for the establishment of a state road through the Cascade mountains via Natchez pass, to connect Eastern and Western Washington, for the appointment of a board of commissioners to superintend the construction and maintenance of the same, and making an appropriation therefor.

The bill and veto message were read in full by the secretary.

The vote on the question, Shall the bill pass notwithstanding the governor's veto? resulted as follows: Yeas 11, nays 21, absent or not voting 2.

Those voting yea were: Senators Cole, Davis, Easterday, Houghton, Keith, Lesh, Miller T. J., Plummer, Taylor, Warburton, and Wooding — 11.

Those voting nay were: Senators Baum, Crow, Deckebach, Dorr, Frink, Hall, Harper, High, Hill, Lewis, McReavy, Megler, Miller David, Pusey, Range, Reinhart, Runner, Van Patten, Washburn, Wilson, and Yeend — 21.

Absent or not voting: Senators Field and Paul — 2.

On motion of Senator Taylor, Senate concurrent resolution No. 1, by Senator Harper, To investigate proposition of postmaster of Olympia relative to furnishing mail carriers for legislature, was taken from the table.

Senator Taylor moved that the resolution be indefinitely postponed.

The motion was carried.

The following resolution was introduced by Senator Cole:

WHEREAS, Mr. Peasley having been replaced by Miss Tannatt, as enrolling clerk; and

WHEREAS, Said Miss Tannatt having taken the oath of office for said position: it is hereby

Resolved, That the services of the said Mr. Peasley be and are hereby dispensed with, as said enrolling clerk.

Senator Lewis moved to amend by striking out the last four words.

The amendment was carried, and the resolution, as amended, adopted.

The Committee on Commerce presented the following report:

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,
OLYMPIA, WASH., January 28, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 19, entitled "An act to protect manufacturers, bottlers and other dealers in ale, porters, lager beer, soda, mineral waters and other beverages from the loss of their casks, barrels, kegs, bottles and boxes," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

S. D. REINHART, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOHN McREAVY.

The Committee on Corporations other than Municipal presented the following report:

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,
OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 27, entitled "An act providing that claims for damages, wages, materials and supplies shall constitute and be a first lien on all corporation property, where the corporation becomes insolvent," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

T. J. MILLER.

F. M. BAUM.

DAVID MILLER.

C. W. DORR.

J. C. VAN PATTEN.

On motion of Senator Wilson, the report was adopted.

The following communication from the Tribune Printing Co. was read, and referred to the Committee on State Library:

To the Honorable Senate and House of Representatives of the Legislature of the State of Washington:

The session laws of the state from 1854 to 1888 are out of print. Occasionally sets can be obtained at a price ranging from \$100 to \$150. The state officers and state library are without them. We have published them from the original rolls in five volumes of 1,000 pages each, and are selling them at \$30 per set, bound in full law sheep. If you will purchase one hundred copies and distribute them, as per schedule attached, we will

take in exchange to the extent of one-half of the price supreme court reports, late session laws and journals at the regular selling price. The state, we are informed, has several thousand copies of volumes 1, 2, 3 and 4, supreme court reports, that it will never sell and are deteriorating. If your honorable body will appoint a special committee, or refer the matter to one of your regular standing committees, it can be shown that some arrangement can be made that will be of great advantage to the state and to ourselves.

We have fifty copies of volume 4, containing the laws of the years 1877 to 1877-8, bound in manilla, which could be used temporarily by your committees and returned for permanent binding in law sheep.

Respectfully submitted.

TRIBUNE PRINTING COMPANY.

SCHEDULE.

To the state law library, five copies; governor, lieutenant governor, secretary of state, state auditor, state treasurer, commissioner of public lands, superintendent of public instruction, state printer, supreme court reporter, attorney general and assistant attorney general, and supreme judges, one copy each; state university, two copies; normal school libraries each one copy; to the counties, one copy each for the use of the prosecuting attorneys and superior courts or departments thereof—in all one hundred copies.

On motion of Senator Yeend, the Senate retired to the House at 12 o'clock m., to ballot for United States senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock m.

The secretary called the roll of the Senate, and the clerk called the roll of the House; all members being present except Representatives J. O. Edwards and Toblissen.

On motion of Senator Wilson, the reading of the journal of the joint session of the preceding day was dispensed with, and the journal approved.

The clerk called the roll for the twenty-fifth joint ballot on the election of a United States senator, which resulted as follows:

TWENTY-FIFTH JOINT BALLOT.

George Turner received sixty-eight votes.

Arthur A. Denny received twenty-five votes.

Watson C. Squire received one vote.

G. H. Westcott received fourteen votes.

J. R. Crites received one vote.

Total number of votes, 109.

Those voting for George Turner were: Baker F. R., Baker S.

W., Baum, Bush A. S., Carr, Cole, Crow, Davis, Day, de Mattos, Easterday, Edwards J. M., Field, Fritz, Forbes, Geraghty, Gerry, Gilkey, Hagadorn, Hansen, Hargrave, Hicks, High, Hill, Hodgdon, Houghton, Johnston, Jory, Keith, Kincaid, Koehler, Land, Lindstrom, Likins, Mathiot, Mentzer, Merrifield, Miller David, Miller T. J., Mitchell, Mohundro, Moore, McAtee, McReavy, Nelson, Paul, Phelps, Pierson, Plummer, Range, Richmond, Roberts, Ross, Runner, Scott, Smith H. D., Smith J. B., Smith P. M., Stafford, Stuhrman, Taylor, Van Patten, Warner, Way, Wilkeson, Wolf, Yeend, and Mr. Speaker — 68.

Those voting for Arthur A. Denny were: Ames, Baker G. H., Barlow, Clapp, Deckebach, Dorr, Frink, Guie, Hall, Harper, Kittinger, Lesh, Levin, Lewis, Libby, Marshall, Megler, Powell, Pusey, Struve, Thacker, Warburton, Washburn, Wilson, and Wooding — 25.

Representative Williams voted for Watson C. Squire.

The following voted for G. H. Westcott: Bush C. P., Canutt, Caywood, Conine, Couch, Freeman, Irvin, Lusher, Parker, Rader, Smith C., Windust, Winsor, and Witt — 14.

Senator Reinhart voted for J. R. Crites.

George Turner having received a majority of the votes, was declared by the president of the joint session to be duly elected to the office of United States senator for the term commencing March 4, 1897.

On motion of Senator Dorr, the chair appointed a committee of three, consisting of Senators Dorr, Baum and Crow, to notify George Turner of his election, and escort him to the House.

A motion to adjourn, by Representative Williams, was lost.

The committee accompanied by Mr. Turner arrived, and he was introduced to the senators and representatives in joint session, to whom he delivered a brief address.

On motion of Representative Fritz, the joint session dissolved.

President Daniels called the Senate to order at 1 o'clock P. M.

The president appointed Senators Keith, Lesh and McReavy as the committee provided for in Senator Plummer's resolution.

On motion of Senator Deckebach, the Senate adjourned until 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, January 30, 1897. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Baum, Easterday, Frink, Lewis, McReavy, and Warburton, who were excused.

The journal of yesterday was read and approved.

The committee appointed to investigate the charges against Senator Plummer submitted the following report:

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1897.

To the President and Members of the Senate:

We, your committee appointed under resolution to investigate certain charges appearing in the Seattle Post Intelligencer of the 28th instant, reflecting discredit on Senator Plummer by intimating that he had offered to sell his vote for \$500, respectfully submit the following report:

That your committee met at the Hotel Olympia at 5 o'clock P. M. on January 29, 1897, and organized; that we employed A. C. Bowman, a stenographer, to report the testimony and the proceedings.

That we summoned and examined the following named witnesses, to wit: Dr. G. V. Calhoun, George Turner, E. J. Short, Mr. Paul F. Mohr, and Senator Plummer.

That after due consideration of the testimony given by the above named witnesses we find: That the statements purporting to be the words of Dr. Calhoun, reflecting discredit on Senator Plummer, were very much modified and explained by the evidence given before your committee; that no money was offered to bribe or to be used to bribe any member of this legislature; that the evidence submitted does show that Senator Plummer was given to understand that if he would assist and work for the re-election of Senator Squire all legitimate expenses would be paid by the friends of Senator Squire, but that under no circumstances would funds be advanced or paid for the purpose of corrupting any member of this legislature; that the evidence further shows that Senator Plummer refused to accept any advances or to vote or work for the re-election of Senator Squire; that it is the opinion of your committee that the charges before referred to are not substantiated by the evidence sub-

mitted, and in view of all the facts we find that no wrong was intended by any one, and that Senator Plummer should be and is hereby fully exonerated from said rumors and charges.

Respectfully submitted.

E. C. KEITH, Chairman,
D. E. LESH,
JOHN McREAVY,
Committee.

On motion of Senator Keith, the report was adopted.

On motion of Senator Wilson, Senator Plummer was excused for one week.

Senate concurrent resolution No. 9, relative to procuring the Session Laws of 1893-95, and Senate and House Journals for 1895.

On motion of Senator High, the resolution was adopted.

The following communication was read; and, on motion of Senator Wilson, referred to the Committee on Printing:

OLYMPIA, WASH., January 29, 1897.

Mr. Dudley Eshelman, Secretary Senate, State of Washington:

DEAR SIR— We would like to reconsider the bid made yesterday, and say we will do the work of making the Senate calendar, furnish the paper for same, and deliver them to the Senate chamber for \$1.25 per sheet, but will guarantee that the calendar for any one day shall not cost over \$6 per day.

Yours respectfully, MARY L. PAGE.

The following resolution was introduced by Senator Cole:

WHEREAS, Mr. Peasley having reported regularly for duty from the time of his election until his deposition by the Senate, it is hereby

Resolved, That a warrant for his services up to January 29 be drawn in his favor.

The resolution was adopted.

The Committee on Labor and Labor Statistics were allowed to withdraw their report on Senate bill No. 21, in order to present a new report.

REPORTS OF COMMITTEE ON STATE PENAL AND REFORMATORY INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 104, entitled "An act to amend section 14 of an act entitled 'An act providing for the establishment and location of a state reform school, and to declare an emergency,' approved March 28, 1890," have had the same under consideration, and we respectfully re-

port the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

JOHN I. YEEND, Chairman.

F. G. DECKEBACH.

R. C. WASHBURN.

JOSEPH HILL.

E. W. TAYLOR.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 103, entitled "An act to amend sections 12 and 13 of an act entitled 'An act to define, regulate and govern the state penitentiary, and declaring an emergency,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that section 12 be amended to read as follows: "Sec. 12. The warden shall receive a salary of \$1,400 per annum;" and that section 13 be amended to read as follows: "Sec. 13. The clerk shall receive a salary of \$1,000 per annum." We further recommend that the bill do pass as above amended.

Respectfully submitted.

We concur in this report:

JOHN I. YEEND, Chairman.

F. G. DECKEBACH.

R. C. WASHBURN.

JOSEPH HILL.

E. W. TAYLOR.

The report was adopted.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 86, entitled "An act to amend an act entitled 'An act to amend section 5 of an act entitled "An act appropriating money for the purchase of materials, and regulating the manufacture and sale of jute and other fabrics, and brick, at the state penitentiary," approved March 20, 1895,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

JOHN I. YEEND, Chairman.

JOSEPH HILL.

F. G. DECKEBACH.

R. C. WASHBURN.

E. W. TAYLOR.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 22, entitled "An act providing for a lien for employes," have had the same under consideration, and we respectfully

report the same back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

T. J. MILLER.

F. M. BAUM.

DAVID MILLER.

C. W. DORR.

J. C. VAN PATTEN.

On motion of Senator Houghton, the report was adopted.

REPORT OF COMMITTEE ON STATE PENAL AND REFORMATORY INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 85, entitled "An act to amend section 18 of an act entitled 'An act to define, regulate and govern the state penitentiary, and declaring an emergency,' approved March 9, 1891," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report:

JOSEPH HILL.

F. G. DECKEBACH.

R. C. WASHBURN.

E. W. TAYLOR.

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 35, entitled "An act providing for a constitutional amendment relating to the reduction of the salary of the attorney general," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

OLIVER HALL.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

I dissent:

W. H. PLUMMER.

Senator Wilson moved to adopt the report.

Senator Dorr moved to amend by placing the bill referred to in the report on the general file, taking no action on the report.

The amendment was carried.

REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 21, entitled "An act amending section 2411, volume 1, Hill's Annotated Code of Washington, in relation to an act for bond of contractors for security of laborers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: That the figures "2411" in the title to the act be stricken out and "2415" be inserted in lieu thereof, and that as amended the bill do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.

On motion of Senator Davis, the report was adopted.

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 29, entitled "An act providing for a constitutional amendment relating to the reduction of the salaries of the supreme court judges," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

In line 6 of section 1 of the printed bill, strike out "twenty," and insert "thirty" in its place.

In line 7 of section 1, strike out "two thousand," and insert in lieu thereof "twenty-five hundred."

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

OLIVER HALL.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

I dissent:

W. H. PLUMMER.

Senator Dorr moved that the bill referred to in the report be placed on general file.

Senator Plummer moved to amend, by laying the report and bill on the table.

The amendment was lost, and the original motion prevailed.

The committee appointed to investigate the charges against Senator Plummer, submitted the following report, which, on motion of Senator David Miller, was referred to the Committee on Claims and Auditing:

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

Your Senate investigating committee, in charges preferred against Senator Plummer, report the following: That we employed the following persons, who are entitled to the amounts of money opposite their respective names:

A. C. Bowman, stenographer.....	\$5 00
E. J. Short, witness.....	2 00
G. V. Calhoun, witness.....	2 00

Together with mileage from Seattle.

Respectfully submitted.

E. C. KEITH, Chairman.
D. E. LESH.

Senator T. J. Miller moved that it be the sense of the Senate that the amount allowed Dr. G. V. Calhoun in the report be stricken out.

On motion of Senator Wilson, the motion was laid on the table.

REPORTS OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 30, entitled "An act providing for a constitutional amendment relating to the reduction of the salary of the governor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, with the following amendments:

In line 5 of section 1 of the printed bill, strike out "two" and insert in lieu thereof the word "three."

In line 6 of section 1, strike out "three" and insert in lieu thereof the word "four."

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

OLIVER HALL.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

I dissent:

W. H. PLUMMER.

On motion of Senator Dorr, the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 33, entitled "An act providing for a constitutional amendment relating to the reduction of the salary of the secretary of state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

OLIVER HALL.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

W. H. PLUMMER.

On motion of Senator High, the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 31, entitled "An act providing for a constitutional amendment relating to the reduction of the salary of the auditor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

OLIVER HALL.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

W. H. PLUMMER.

On motion of Senator High, the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 34, entitled "An act providing for the constitutional amendment relating to the reduction of the salary of the treasurer," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

OLIVER HALL.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

W. H. PLUMMER.

On motion of Senator High, the bill referred to in the report was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 36, entitled "An act providing for a constitutional amendment relating to the reduction of the salary of the superintendent of public instruction," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendment: In line 7 of section 1 of the printed bill, strike out "eighteen hundred" and insert in lieu thereof "two thousand."

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

E. W. TAYLOR.

F. C. HARPER.

J. W. RANGE.

DAVID MILLER.

W. H. PLUMMER.

OLIVER HALL.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 51, entitled "An act to provide for submitting an amendment to article 6 of the constitution of the State of Washington embodying the right of woman suffrage," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended to read as follows:

SENATE BILL No. 51, by Senator Hill: An act providing for a constitutional amendment, conferring the elective franchise on women.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. It is proposed to amend article 6 of the constitution of the State of Washington, by adding a section to be called "Sec. 9," so as to confer the elective franchise on women. "Sec. 9. The elective franchise shall never be denied any person on account of sex, notwithstanding anything to the contrary in this constitution."

SEC. 2. The secretary of State shall cause the foregoing amendment to be published for three months next preceding said election to be held in November, 1898, in some weekly newspaper in every county within this state wherein a newspaper is published.

SEC. 3. That at the general election to be held in November, 1898, the amendment hereinbefore mentioned in section 1 shall be submitted to the qualified electors of the State of Washington for their approval, and there shall be printed on all the ballots provided for said election the words, "For the proposed amendment of section 1, article 6, of the constitution, conferring the elective franchise on women," "Against the proposed amendment to section 1, article 6, of the constitution, conferring the elective franchise on women."

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

E. W. TAYLOR.

J. W. RANGE.

W. H. PLUMMER.

Senator Lesh moved that the bill and report be indefinitely postponed.

Senator Range moved to amend by placing the bill on general file. The amendment was carried.

On motion of Senator T. J. Miller, the amended bill was ordered printed.

Senator Wilson moved that the index of bills, heretofore ordered to be prepared by the secretary, be prepared in the usual manner according to the number of the bills, notwithstanding the former resolution providing that the same be prepared by topics.

The motion was carried.

The following resolution was introduced by Senator Lesh:

Resolved, That the sergeant-at-arms be instructed to cause a bulletin board to be placed in some convenient place in the Senate chamber, where committee meetings can be announced.

The resolution was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 124, by Senator Van Patten: An act to amend section 2490 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relative to the restraint of swine running at large.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 125, by Senator Keith: An act to amend section 52 of chapter 12 of the Laws of 1889-90, entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, as amended by section 16 of chapter 187 of the Laws of 1891, approved March 7, 1891, and again amended by section 1 of an act approved March 14, 1895.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 126, by Senator Van Patten: An act to amend section 564 of volume 2 of the Code of Civil Procedure.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 127, by Senator Van Patten: An act to amend section 1 of chapter 31 of House bill No. 62 of the Session Laws of the State of Washington for 1893, entitled "An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals."

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 128, by Senator Davis: An act creating a board of regents to govern, control, conduct and maintain the educational institutions of the State of Washington, and providing for a uniform system of government for the same.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

Senate bill No. 129, by Senator Davis: An act to amend sections 3, 8 and 10 of an act entitled "An act regulating county surveyors, defining their powers and regulating their duties," Session Laws, 1895, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 130, by Senator Runner: An act to facilitate the execution, transfer and assignment of real estate mortgage securities.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE.

Senate bill No. 13, by Senator Easterday: An act in regard to assignments, and satisfaction and cancellation of mortgages.

On motion of Senator T. J. Miller, the bill was passed over, and retained its place on the calendar.

Senate bill No. 16, by Senator Easterday: An act to amend sections 1075-76 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents.

On motion of Senator Crow, the bill was passed over, and retained its place on the calendar.

Senate bill No. 20, by Senator Taylor: An act to amend sections 3122 and 3124 of volume 1, Hill's Annotated Code of Washington, relating to laborers' liens and claims.

The bill was read the third time by sections, and, on motion of Senator Taylor, placed on its final passage.

The same was then passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Harper, High, Hill, Houghton, Keith, Lesh, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 27.

Senator Hall voted nay.

Absent or not voting: Senators Baum, Easterday, Frink, Lewis, McReavy, and Warburton — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Wilson gave notice that he would move to reconsider the vote by which Senate bill No. 20 was passed.

The assistant clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 75, by the Committee on Appropriations: An act appropriating money for clerical assistance in the office of the board of state land commissioners; and the same is herewith transmitted.

J. M. PAGE, Assistant Clerk.

Senate bill No. 21, by Senator Taylor: An act amending section 2415, vol. 1, Hill's Annotated Code of Washington, in relation to an act for bond of contractors for security of laborers.

The bill was read the third time by sections, considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Megler,

Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Baum, Easterday, Frink, Lesh, Lewis, McReavy, Runner, Warburton, and Wooding — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled "An act providing for the sale of real property to foreclose liens created for internal improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency," report same as being correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

Senate bill No. 56, by Senator T. J. Miller: An act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same, and for using counterfeits of the same.

On motion of Senator Taylor, the bill was referred to the Committee on Judiciary.

Senate bill No. 19, by Senator Plummer: An act to protect manufacturers, bottlers and other dealers in ale, porters, lager beer, soda, mineral waters and other beverages from the loss of their casks, barrels, kegs, bottles and boxes.

On motion of Senator Wilson, the bill was referred to the Committee on Judiciary.

Senate bill No. 118, by Committee on Judiciary: An act amending section 4 of an act entitled "An act in relation to attorneys and counselors at law, providing for admission to the bar," passed by the legislature of the State of Washington, and approved March 19, 1895.

The bill was read the third time by sections; and, on motion of Senator T. J. Miller, placed on its final passage.

The bill was then passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baum, Davis, Easterday, Frink, Lewis, McReavy, and Warburton — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 119, by Committee on Judiciary: An act defining motions and orders.

The bill was read the third time by sections; and, on motion of Senator Range, placed on its final passage.

The bill was then passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Baum, Easterday, Frink, Lewis, McReavy, and Warburton — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 120, by Judiciary Committee: An act to amend section 3289 of the Code of 1881, relating to the removal and suspension of attorneys.

The bill was read the third time by sections; and, on motion of Senator Plummer, placed on its final passage.

It was then passed by the following vote: Yeas 25, noes 0, absent or not voting 9.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Baum, Easterday, Frink, Lesh, Lewis, McReavy, Runner, Warburton, and Wooding—9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 121, by Judiciary Committee: An act amending section 1 of an act entitled “An act relating to new trials, and amending section 282 of the Code of Washington of 1881, and repealing sections 279 and 280 of said Code of 1881,” approved February 26, 1881, relating to new trials.

The bill was read the third time by sections.

Senator Dorr moved to amend section 1 by striking out the word “two” which occurs in lines 5, 6, 9 and 11, of the printed bill, and insert in lieu thereof the word “five.”

The amendment was carried, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 26, nay 1, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinbart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend—26.

Senator Lesh voted nay.

Absent or not voting: Senators Baum, Easterday, Frink, Lewis McReavy, Warburton, and Wooding—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 30, by Mr. Guie: An act to amend section 1439 of volume 1 of the General Statutes and Codes of the State of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages.

The bill was read the third time in full.

On motion, section 1 was amended as follows: In line 5 of printed bill, strike out the words “or recording,” and insert in lieu thereof the words “for record;” strike out the words “or recorded,” in line 6 of the printed bill.

The bill was then placed on its final passage, and passed by the following vote: Yeas 23, nay 1, absent or not voting 10.

Those voting yea were: Senators Crow, Davis, Dorr, Field, Hall, Harper, High, Hill, Houghton, Megler, Miller David, Miller T. J.,

Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 23.

Senator Cole voted nay.

Absent or not voting: Senators Baum, Deckebach, Easterday, Frink, Keith, Lesh, Lewis, McReavy, Warburton, and Wooding — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator David Miller, the Senate adjourned until Monday, February 1, 1897, at 1:30 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-SECOND DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 1, 1897. }
1:30 o'clock P. M. . }

President Daniels called the Senate to order at 1:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Plummer and Warburton, who were excused.

The journal of Saturday was read and approved.

Concurrent resolution No. 10, by Senator Crow: Relative to the retirement of greenbacks.

The resolution was read, and, on motion of Senator Crow, referred to the Committee on Memorials.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 6, entitled "An act amending section 28 of the Penal Code of the State of Washington relating to the crime of rape," have examined the

same, and we respectfully report the same back to the Senate, as being correctly engrossed.

Respectfully submitted.

We concur in this report:

J. G. MEGLER, Chairman.

J. W. RANGE.

J. A. COLE.

The secretary read the following message from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 29, 1897.

MR. PRESIDENT:

The House has passed House bill No. 114, by Mr. Roberts: An act allowing married women to act as administratrix, or executrix of estates of deceased persons, and declaring an emergency.

Also, House bill No. 13, by Mr. Powell: An act relating to an act to amend section 23 of an act entitled "An act in relation to garnishments," approved March 8, 1892.

And the above are herewith transmitted.

S. P. CARUSI, Chief Clerk.

The bills referred to in the report were read the first time; and, on motion of Senator Dorr, the rules were suspended, the bills read the second time by title, and referred to the Committee on Judiciary.

The Committee on Education submitted the two following reports:

REPORTS OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 95, entitled "An act to provide for an institute fund," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

V. A. PUSEY.

W. B. FIELD.

L. C. CROW.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 94, entitled "An act to define the qualifications of county school superintendents," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

V. A. PUSEY.

W. B. FIELD.

L. C. CROW.

The president announced that the time had arrived for the consideration of Senate bill No. 5, by Senator Taylor, An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington.

On motion of Senator Houghton, the bill was made a special order for Monday, February 8, 1897, at 2 o'clock P. M.

INTRODUCTION OF BILLS.

Senate bill No. 131, by Senator Baum: An act for the relief of the members of the electoral college.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the committee of the whole.

Senate bill No. 132, by Senator Baum: An act to fix the salary of the reporter of the supreme court, providing for the payment thereof, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the Committee on Judiciary.

Senate bill No. 133, by Senator High: An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on certain of the same as part of the lawful expense of the principal or principals of the same, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 134, by Senator Easterday: An act in relation to proceedings in probate; amending sections 1299, 1300, 1311, 1361, 1399 and 1566 of the Code of Washington of 1881, as amended, respectively, by sections 845, 846, 848, 873, 911 and 1069 of volume 2 of Hill's Annotated Statutes and Codes of Washington; sections 1312, 1350, 1351, 1355, 1356, 1364, 1365, 1366, 1391, 1400, 1438, 1465, 1467, 1472, 1491, 1509, 1550 and 1556 of the Code of Washington of 1881, being also, respectively, sections 849, 862, 863, 867, 868, 876, 877, 878, 903, 912, 950, 977, 979, 984, 1003, 1021, 1063 and 1079 of volume 2 of Hill's Annotated Statutes and Codes of Washington; and sections 1494 and 1495 of the Code of Washington of 1881, being also, respectively, sections 1006

and 1007 of volume 2 of Hill's Annotated Statutes and Codes of Washington, as amended by the act of March 21, 1895; and repealing sections 1313 and 1547 of the Code of Washington of 1881, as amended, respectively, by sections 850 and 1060 of volume 2 of Hill's Annotated Statutes and Codes of Washington; and sections 1352, 1377, 1544, 1545, 1546, 1548 and 1549 of the Code of Washington of 1881, being also, respectively, sections 864, 889, 1057, 1058, 1059, 1061 and 1062 of volume 2 of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 135, by Senator Easterday: An act in reference to executors of wills and the settlement of estates of them without administration.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 136, by Senator Taylor: An act relating to altering or changing county lines.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

Senate bill No. 137, by Senator Harper: An act further to regulate, restrain, license and prohibit the sale of intoxicating liquors.

The bill was read the first time; and, on motion of Senator Harper, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE.

Senate bill No. 13, by Senator Easterday: An act in regard to assignments and satisfaction and cancellation of mortgages.

The bill was read the third time by sections; and, on motion of Senator Easterday, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill,

Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Plummer, Pusey, Runner, Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 1, 1897.

MR. PRESIDENT:

The House has passed House bill No. 13, by Mr. Land: An act requiring street railways and street car companies, or corporations owning or operating street railways or street car lines, to employ competent men to operate and assist in operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act; and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

Senate bill No. 16, by Senator Easterday: An act to amend sections 1075-76 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents.

The bill was read the third time by sections.

Senator Range moved to amend section 1 by striking out of line 4 of the printed bill the words, "90 days immediately preceding the death of decedent."

The amendment was lost.

The bill was then placed on its final passage, and passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, and Yeend — 29.

Senator Wilson voted nay.

Absent or not voting: Senators Plummer, Pusey, Warburton, and Wooding — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 24, by Senator Taylor: An act relating to negligence.

The bill was read the third time by sections.

Senator Lesh moved to amend section 4 by striking out the word "six" in line 9 of the printed bill, and insert the word "one."

The amendment was lost.

On motion of Senator Lesh, the bill was referred to the Committee on Judiciary.

Senator Taylor moved to take from the table and refer to the Committee on Judiciary House bill No. 47, by Mr. F. R. Baker: An act fixing and prescribing the liabilities of companies and corporations operating railways within the State of Washington for negligence or wrongs of employes, and declaring an emergency.

The motion was carried.

Senator Wilson moved to reconsider the vote by which Senate bill No. 20 was passed.

The motion was carried by the following vote: Yeas 23, nays 9, absent or not voting 2.

Those voting yea were: Senators Baum, Deckebach, Dorr, Easterday, Frink, Hall, Harper, Hill, Houghton, Lesh, Lewis, McReavy, Megler, Miller David, Paul, Pusey, Reinhart, Runner, Washburn, Wilson, Wooding, and Yeend — 23.

Those voting nay were: Senators Cole, Crow, Davis, Field, High, Keith, Miller T. J., Range, Taylor, and Van Patten — 9.

Absent or not voting: Senators Plummer and Warburton — 2.

Senator Wilson moved that the bill be referred to the Committee on Judiciary, with instructions to report thereon at their earliest convenience.

Senator Taylor moved to amend by instructing the committee to report by Wednesday morning.

The amendment was carried, and the original motion as amended prevailed.

Senator Baum was excused from further attendance until Thursday.

Senate bill No. 26, by Senator Easterday: An act to amend section 463 of volume 1, Hill's Annotated Statutes and Codes of Washington, in regard to furnishing election officers with registration books.

The bill was read the third time by sections.

On motion of Senator Easterday, all of lines 1 and 2, and all of line 3 preceding the words "an emergency" in section 4 of the printed bill was stricken out.

Senator Taylor moved that the bill be referred to the Committee on Judiciary.

Senator Houghton moved to amend by laying it on the table.

The amendment was lost, and the original motion prevailed.

Senate bill No. 104, by Senator Yeend: An act to amend section 14 of an act entitled "An act providing for the establishment and location of a state reform school, and to declare an emergency," approved March 28, 1890.

The bill was read the third time by sections.

Senator Yeend moved to amend section 1 by adding after the word "director," in line 4 of printed bill, the words "or superintendent."

The amendment was carried.

On motion of Senator Lesh, the words "twelve hundred" and the figures "1,200" in the same line and section of the printed bill were stricken out, and the words "one thousand" and the figures "1,000," respectively, were inserted in lieu thereof.

On motion of Senator Wilson, the word "directors," in line 5 of the same section of the printed bill, was stricken out, and the word "trustees" inserted in lieu thereof.

On motion of Senator Yeend, the bill was recommitted to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 103, by Senator Yeend: An act to amend sections 12 and 13 of an act entitled "An act to define, regulate and govern the state penitentiary," and declaring an emergency, approved March 9, 1891.

The bill was read the third time by sections.

On motion of Senator Easterday, section 2 was stricken out.

On motion of Senator Easterday, section 1 was divided into two sections, which shall read as follows:

SECTION 1. That section 12 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891, be and the same is hereby amended to read as follows: "Sec. 12. The warden shall receive a salary of fourteen hundred dollars per annum."

SEC. 2. That section 13 of said act be amended to read as follows: "Sec. 13. The clerk shall receive a salary of ten hundred dollars per annum."

Senator Houghton moved to amend section 1 by striking out the words "fourteen hundred," in line 4 of the printed bill, and insert in lieu thereof the words "sixteen hundred."

Senator Lewis moved to amend the amendment by striking out the words "sixteen hundred" and insert in lieu thereof the words "twelve hundred."

The amendment to the amendment was lost by the following vote: Yeas 13, nays 15, absent or not voting 6.

Those voting yea were: Senators Davis, Dorr, Field, Harper, Lesh, Lewis, Megler, Miller T. J., Paul, Pusey, Reinhart, Runner, and Van Patten—13.

Those voting nay were: Senators Cole, Crow, Deckebach, Easterday, Frink, Hall, High, Hill, Houghton, Miller David, Range, Taylor, Washburn, Wilson, and Yeend—15.

Absent or not voting: Senators Baum, Keith, McReavy, Plummer, Warburton, and Wooding—6.

The original amendment was lost.

On motion of Senator Yeend, section 3 was added, which reads as follows:

SEC. 3. An emergency exists, and this act shall take effect immediately.

On motion of Senator Taylor, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 26, nays 3, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend—26.

Those voting nay were: Senators Frink, Houghton, and Wooding—3.

Absent or not voting: Senators Baum, Keith, McReavy, Plummer, and Warburton—5.

The emergency clause was then passed by the following vote: Yeas 25, nays 3, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Davis, Dorr, Field, Harper, High, Hill, Houghton, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend—25.

Those voting nay were: Senators Deckebach, Frink, and Hall—3.

Absent or not voting: Senators Baum, Easterday, Keith, McReavy, Plummer, and Warburton — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The following resolution was introduced by Senator Dorr:

Resolved, That the Senate stenographer attend upon the sessions of the Senate, and take down all the proceedings.

On motion of Senator Davis, the resolution was laid on the table.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 2, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Baum and Plummer, who were excused.

The journal of yesterday was read and approved.

The president announced that the time had arrived for the consideration of Senate bill No. 7, by Senator Taylor: An act providing for the division of the State of Washington into congressional districts.

The bill was read the third time by sections.

Senator David Miller moved to lay the bill on the table.

The motion was lost.

Senator Hall moved that the bill be indefinitely postponed.

The motion was lost by the following vote: Yeas 4, nays 27, absent or not voting 3.

Those voting yea were: Senators Frink, Hall, Range, and Warburton — 4.

Those voting nay were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Reinhart, Runner, Van Patten, Washburn, Wilson, Wooding, and Yeend — 27.

Absent or not voting: Senators Baum, Plummer, and Taylor — 3.

Senator Easterday moved to make the bill a special order for Thursday, February 4, 1897, at 10:30 o'clock A. M.

Senator Keith moved to amend by making it a special order for Tuesday, February 9, 1897, at 2 o'clock P. M.

The amendment was carried, and the original motion as amended prevailed.

Joint resolution No. 11 was introduced by Senator T. J. Miller, as follows:

WHEREAS, It is rumored that the ex-state treasurer was short in his accounts, which shortage, however, is said to have been made good by the bondsmen;

WHEREAS, These rumors, if well founded, indicate that the public money has been used in a manner contrary to law: therefore, in justice to the ex-treasurer and for the protection of the state, a committee of five, two from the Senate and three from the House, is hereby ordered to be appointed to investigate said rumors and the methods pursued in the handling of the state funds, such committee to have power to call for persons and papers, and do everything necessary to conduct a complete investigation.

Senator Keith moved that the resolution be adopted.

Senator Wilson offered the following substitute:

Resolved, That a committee of three senators be appointed by the president to ascertain and report to this senate whether any moneys have been deposited, within the past four years, by the state treasurer in any bank.

On motion of Senator Yeend, the resolution was indefinitely postponed.

On motion of Senator Frink, the appointments of Governor McGraw were taken from the table.

Senator Frink moved that fifty copies of them be printed, and that their consideration be made a special order for Wednesday, February 10, 1897, at 2 o'clock P. M.

The motion was carried.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 34, entitled "An act to prevent vivisection and regulate dissection in the schools of the State of Washington, except medical and dental schools, or medical departments of any school, and providing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

On motion of Senator Crow, the bill referred to in the report was made a special order for Thursday, February 11, 1897, at 2 o'clock P. M.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 23, entitled "An act to validate marriages solemnized by a competent person or persons in the presence of witnesses, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

On motion of Senator Wilson, the report was adopted.

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 76, entitled "An act to prescribe the mode of payment of all obligations of debt to be paid in money," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

S. D. REINHART, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOHN McREAVY.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 75, entitled "An act appropriating money for clerical assistance in the office of the board of state land commissioners," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled. .

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

The following resolution, introduced by Senator Wilson and amended by Senator Taylor, was adopted:

Resolved, That Mr. Ingram, the present stenographer, be transferred to the clerkship of group 7 of committees, and Miss McEachern, clerk of said group of committees, be made stenographer, no change to be made in the compensation of either of these employes; and that Miss Jackson, clerk of Judiciary Committee, act as clerk of Committee on Revenue and Taxation.

INTRODUCTION OF BILLS.

House bill No. 32, by Mr. Land: An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ competent men to operate and assist in operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act.

The bill was read the first time; and, on motion of Senator Wilson, as amended by Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 138, by Senator Van Patten: An act to provide for the recovery of a reasonable attorney fee by the prevailing party in civil actions for damages.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 139, by Senator Keith: An act amending section 1 of chapter 42 of the Session Laws of 1893, relating to the liens of judgments on real estate.

The bill was read the first time; and, on motion of Senator Keith,

the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 140, by Senator Easterday: An act to provide for the removal of the state library from the city of Olympia, and its location in the city of Tacoma, Pierce county, Washington, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 141, by Senator Lesh: An act relating to exemptions of personal property.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 142, by Senator Easterday: An act to provide for the holding of the sessions of the supreme court in the city of Tacoma, Pierce county, State of Washington, and making an appropriation for the expense of removal to said city.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 143, by Senator Easterday: An act relative to exemptions of property from sale on execution.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 144, by Senator David Miller: An act providing for the employment of convicts confined in the state penitentiary.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 145, by Senator Dorr: An act making an appropriation for the state normal school at New Whatcom, Washington.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 146, by Senator Dorr: An act to amend section

227 of volume 2, Penal Code of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Commerce.

Senate bill No. 147, by Senator Davis: An act authorizing and empowering boards of county commissioners to give, grant and convey real property belonging to their respective counties to the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

Senate concurrent resolution No. 12 was introduced by Senator Dorr, as follows:

Resolved, That a joint committee consisting of one senator and two members of the House, be appointed to visit the New Whatcom state normal school, and to report upon the condition of the same.

On motion of Senator Dorr, the resolution was adopted.

The President signed Senate bill No. 75, by the Committee on Appropriations: An act appropriating money for clerical assistance in the office of the board of state land commissioners.

On motion of Senator Davis, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Baum and Plummer, who were excused.

Senate bill No. 148, by Senator Cole: An act for the regulating of the sale of property under execution and decrees.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate concurrent resolution No. 13, was introduced by Senator Cole, as follows:

Resolved by the Senate, the House concurring, That a committee of two members of the Senate and three of the House, be appointed to visit the Cheney normal school and investigate its conduct and affairs; and also the Eastern Washington hospital for the insane, at Medical Lake.

On motion of Senator Cole, the resolution was adopted.

Senate concurrent resolution No. 14 was introduced by Senator Crow, as follows:

Resolved, That a committee of two from the Senate and three from the House, be appointed to visit the agricultural college and school of science at Pullman, and report the condition of the same.

On motion of Senator Crow, the resolution was adopted.

The following resolution was introduced by Senator Lesh:

Resolved, That the Senate hereby request that the chairmen of all standing committees publish daily on Senate bulletin board the time and place of meeting of their respective committees.

The resolution was adopted.

On motion of Senator Houghton, the Senate resolved itself into the committee of the whole to consider Senate bill No. 131, by Senator Baum: An act for the relief of the members of the electoral college.

The bill was considered in the committee, Senator T. J. Miller in the chair, and reported back to the Senate without amendment.

Senator Range moved that the bill be referred to the Committee on Claims and Auditing.

The motion was lost.

The bill was read the third time by sections.

On motion of Senator Houghton, the rules were suspended, the bill considered engrossed, and placed on final passage.

It was then passed by the following vote: Yeas 23, nays 2, absent or not voting 9.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Runner, Van Patten, Warburton, and Yeend — 23.

Those voting nay were: Senators Range and Washburn — 2.

Absent or not voting: Senators Baum, Frink, Lesh, Lewis, Plummer, Pusey, Taylor, Wilson, and Wooding — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The president announced that the time had arrived for the con-

sideration of Senate bill No. 11, by Senator Plummer: An act to amend section 4 of an act entitled "An act amending sections 356 and 361 of chapter 3, title 8; also sections 367, 379, 384, 385 390 and 391 of chapter 3, title 8; also sections 397 and 401 of chapter 4, title 8; also sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Codes and Statutes of Washington; also amending section 380, volume 1, Hill's Annotated Codes and Statutes," as amended by section of chapter 91 of the Laws of 1893, in relation to elections, approved March 21, 1895, and declaring an emergency.

On motion of Senator Wilson, the bill was laid on the table.

GENERAL FILE.

Senate bill No. 86, by Senator Yeend: An act to amend an act entitled "An act to amend section 5 of an act entitled 'An act appropriating money for the purchase of material, and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary, approved March 20, 1895.'"

On motion of Senator Crow, the bill was laid on the table, subject to call.

Senate bill No. 85, by Senator Yeend: An act to amend section 18 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891.

The bill was read the third time by sections.

On motion of Senator Yeend, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Baum, Crow, Lesh, Plummer, and Pusey — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion, the following bills were made a special order for Monday, February 8, 1897, at 3 o'clock P. M.:

Senate bill No. 35, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of attorney general.

Senate bill No. 29, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salaries of the supreme court judges.

Senate bill No. 30, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the governor.

Senate bill No. 33, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the secretary of state.

Senate bill No. 31, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the auditor.

Senate bill No. 34, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the treasurer.

Senate bill No. 36, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the superintendent of public instruction.

Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the constitution of the State of Washington, embodying the right of woman suffrage.

Concurrent resolution No. 15 was introduced by Senator Easterday, as follows:

Resolved by the Senate, the House concurring, That the members of all committees appointed by the legislature to visit state institutions be paid their actual and necessary expenses in going to and returning from such institution and maintenance while necessarily absent from the capital, making such visits.

Senator Taylor moved to strike out the word "maintenance."

Senator Davis moved that the resolution be laid on the table.

The motion was carried by the following vote: Yeas 16, nays 15, absent or not voting 3.

Those voting yea were: Senators Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, Keith, McReavy, Megler, Paul, Pusey, Reinhart, Runner, and Taylor—16.

Those voting nay were: Senators Cole, Easterday, High, Hill, Houghton, Lewis, Miller David, Miller T. J., Range, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 15.

Absent or not voting: Senators Baum, Lesh, and Plummer — 3.

The president announced that the time had arrived for the consideration of Senate bill No. 12, by Senator Plummer: An act to repeal an act entitled "An act to authorize and regulate primary elections of voluntary political associations; to provide for punishment of frauds therein," approved March 21, 1895, and declaring an emergency.

On motion of Senator Wilson, the bill was laid on the table.

Senate bill No. 95, by Senator Keith: An act to provide for an institute fund.

The bill was read the third time by sections.

On motion of Senator Keith, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 23, nays 8, absent or not voting 3.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Harper, High, Hill, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 23.

Those voting nay were: Senators Crow, Easterday, Field, Frink, Hall, Houghton, Range, and Runner — 8.

Absent or not voting: Senators Baum, Lewis, and Plummer — 3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 94, by Senator Keith: An act to determine the qualifications of a county superintendent of common schools.

The bill was read the third time by sections.

On motion of Senator Cole, section 1 was amended by striking out the word "public," in line 3 of the printed bill.

On motion of Senator T. J. Miller, the words "one school year," in the same line and section, were stricken out.

On motion of Senator Easterday, section 2 was amended by striking out the word "proof," in line 5 of the printed bill, and insert in lieu thereof the word "affidavit."

On motion of Senator Wilson, the word "his" was inserted after the word "of," and before the word "having," in the same line and section.

Senator Wilson moved to amend section 1 by inserting the words "or second" after the word "first" and before the word "grade" in line 5 of the printed bill.

The amendment was lost.

Senator Lesh moved to amend section 3 by striking out the word "twenty-third," in line 2 of the printed bill, and insert in lieu thereof the word "eighteenth."

The amendment was lost.

On motion of Senator Keith, section 3 was amended to read as follows:

SEC. 3. The provisions of this act shall not be construed as applying to counties from the twenty-third to the twenty-ninth class, inclusive.

On motion, the words "one school year of," in line 5, section 2 of the printed bill, were stricken out.

On motion of Senator Wilson, section 4 was stricken out.

The bill was then placed on its final passage, and passed by the following vote: Yeas 26, nays 5, absent or not voting 3.

Those voting yea were: Senators Cole, Crow, Davis, Dorr, East-erday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Reinhart, Runner, Taylor, Van Patten, Wooding, and Yeend — 26.

Those voting nay were: Senators Deckebach, Lesh, Range, Washburn, and Wilson — 5.

Absent or not voting were: Senators Baum, Plummer, and War-burton — 3.

The title of the bill was amended to read as follows: "An act to determine the qualifications of county superintendents of common schools."

On motion of Senator Harper, the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 3, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Baum and Plummer, who were excused.

The journal of yesterday was read and approved.

The following resolution was introduced by Senator Van Patten:

Resolved, That in order to keep the record of proceedings legible, it is desirable that all resolutions be written in ink.

The resolution was adopted.

The president announced that the time had arrived for the consideration of vetoed Senate bill No. 136, An act for the relief of John Dorsey and making an appropriation therefor.

On motion of Senator Houghton, the bill was made a special order for Monday, February 8, 1897, at 2:30 o'clock P. M.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,
OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 50, entitled "An act regulating and making it lawful for any farmer, gardener or other person to peddle, sell or deliver, free from all license, in any part of the state, and upon any day except Sunday, all fruits, vegetables or other farm or garden produce and other eatables, making all ordinances in conflict void, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate bill No. 53, entitled "An act fixing the place of residence of the attorney general of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In the title of said bill, strike out all after the word "general;" in section 1, line 2 of the printed bill, after the word "state," add the words "during his term of office;" strike out all of section 2 of the printed bill and insert the following: "Sec. 2. A failure by the attorney general to comply with the provisions of this act, shall work an immediate forfeiture of his office;" and that as so amended said bill do pass.

Respectfully submitted by Senators Wilson, Washburn, Warburton, Lewis, Taylor, and Dorr.

On motion of Senator Dorr, the report was adopted.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate bill No. 53, entitled "An act fixing the place of residence of the attorney general of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senator Houghton.

Senator Easterday moved that the minority report be adopted.

The motion was lost by the following vote: Yeas 8, nays 16, absent or not voting 10.

Those voting yea were: Senators Cole, Easterday, High, Houghton, Lesh, McReavy, Reinhart, and Runner — 8.

Those voting nay were: Senators Deckebach, Dorr, Field, Frink, Hall, Harper, Hill, Lewis, Megler, Range, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 16.

Absent or not voting: Senators Baum, Crow, Davis, Keith, Miller David, Miller T. J., Paul, Plummer, Pusey, and Yeend — 10.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 31, entitled "An act to provide for the record of assignments and satisfaction of judgments and of transcripts of such assignments and satisfactions," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: That the title of said bill be amended to read as follows: "An act relating to assignments and satisfactions of judgments." That section 1 be amended to read as follows: "Any assignment or satisfaction of judgment, or any certified transcript of such assignment or satisfaction, may be recorded in any county auditor's office or county clerk's office in which the judgment is of record, and from the time of filing for record shall be notice of such assignment or satisfaction." And that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Wilson, Warburton, and Houghton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 20, entitled "An act to amend sections 3122 and 3124 of volume 1, Hill's Annotated Code of Washington, relating to laborers' liens and claims," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Wilson, Dorr, Warburton, and Houghton.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 27, entitled "An act to provide for exemptions in cases of assignments for the benefit of creditors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Taylor, Wilson, Warburton, Dorr, and Houghton.

MAJORITY AND MINORITY REPORTS.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate bill No. 22, entitled "An act providing a lien for employes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

That section 1 be amended to read as follows:

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Every person performing labor or furnishing materials, fuel or other supplies for any person, company or corporation in the operation of any railway, canal or transportation company, or any water, mining or manufacturing company, saw mill, lumber or timber company, shall have a prior lien on the franchise, earnings and on all the real and personal property of said person, company or corporation, which is used in the operation of its business, to the extent of the moneys due him from such person, company or corporation, operating said franchise or business, for labor performed or supplies furnished within six months next preceding the filing of his claim therefor, as hereinafter provided; and no mortgage, deed of trust or conveyance shall defeat or take precedence over said lien.

That section 2 be amended to read as follows:

SEC. 2. No person shall be entitled to the lien given by the preceding section, unless he shall, within ninety days after his claim has fallen due, or he has ceased to perform labor or furnish supplies to such person, company or corporation, file for record with the county auditor of the county in which said labor was performed or material furnished, or in which is located the principal office of such person, company or corporation in this state, a notice of claim, containing a statement of his demand, after deducting all just credits and offsets, the name of the person, company or corporation, and the name of the person or persons employing claimant, or purchasing the supplies, if known, with a statement of the terms and conditions of his contract, if any, and the time he commenced the employment and the date of his last service or when the supplies were furnished, and shall serve a copy thereof on said person, company or corporation, within thirty days after the same is so filed for record.

That section 3 be amended to read as follows:

SEC. 3. Service of notice, as herein required, may be made in the same manner as summons in civil actions.

That section 4 be amended to read as follows:

SEC. 4. Any such lien may be enforced within the same time and in the same manner as mechanics' liens are foreclosed.

That section 5 be amended to read as follows:

SEC. 5. Whenever a receiver or assignee is appointed for any person, company or corporation, the court shall require such receiver or assignee to pay all claims for which a lien could be filed under this act before the payment of any other debts or claims other than operating expenses.

That all of section 6 be stricken out.

And that as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Dorr, Warburton, and Houghton.

I, one of the members of the Judiciary Committee, recommend the amendment of said bill as reported by the majority of said committee, and that said bill be further amended as follows: Add to section 1 as reported by the committee the following words: "*Provided*, That such lien for labor or material shall not take precedence over any conveyance executed and filed for record prior to, or any lien existing at the time when such labor is performed or material furnished."

Even with this amendment, which I regard necessary, I cannot, with the two hours study I have given to this radical measure, recommend its adoption as the law of the state.

Respectfully submitted.

R. C. WILSON.

On motion of Senator Easterday, the majority report was adopted.

Senator Easterday moved that Senate bill No. 22, as amended by the report of the committee, be ordered printed, and that it be given preference and printed immediately.

The motion was carried.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bills Nos. 13, 16, 94 and 103, have examined the same, and we respectfully report the same back to the Senate, as being correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of J. Benson Starr for the sum of \$121.66 for sundries ordered by the secretary of state for use of the Senate, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that on account of overcharges in said bill, that it be reduced \$21.66, and allowed in the sum of \$100.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

L. C. CROW.

S. WARBURTON.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the following bills: J. Benson Starr, 75 bill files, \$168.75; Mills & Cowles,

sundries, 75 cents; F. W. Aldrich, carpenter work and material, \$3.40, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

L. C. CROW.

S. WARBURTON.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 46, entitled "An act for the relief of Thomas E. Delaney," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

L. C. CROW.

S. WARBURTON.

The report was adopted.

REPORTS OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 78, entitled "An act amendatory of section 1 of the Session Laws of the State of Washington of 1893, entitled 'An act relating to damages by trespassing animals,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 111, entitled "An act regulating and making it lawful for any farmer, gardener or other person to peddle, sell or deliver, free from all license, in any part of the state, and upon any day except Sunday, all fruits, vegetables or other farm or garden produce and all other eatables, making all ordinances in conflict void, and declaring an emergency," have had the same under consideration, and we respectfully report the same back

to the Senate, with the recommendation that it do pass when amended as follows:

Section 1, line 8 (printed bill), strike the words "and eatables."

Strike section 3 and substitute the following: "An emergency exists and this act shall take effect immediately."

Respectfully submitted.

We concur in this report:

OLIVER HALL, Chairman.

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 153, entitled "An act making it unlawful to kill or poison honey bees, and making it unlawful to place any poisoned sweetened substance where it is accessible to honey bees, and prescribing the punishment therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, when amended as follows: In section 2, lines 5 and 6 (printed bill), strike "imprisonment in the county jail not less than thirty days nor more than twelve months;" in line 6, strike "five" and insert "one;" in line 7, strike "or by both fine and imprisonment or by." Strike section 3, and insert "An emergency exists, and this act shall take effect immediately."

Respectfully submitted.

We concur in this report:

OLIVER HALL, Chairman.

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 79, entitled "An act amendatory of section 2490 of an act entitled 'An act relating to the care of swine,' and providing for the collection of damages by reason of swine being at large unlawfully, where the owner thereof is known, and has received lawful notice thereof (1 Hill, chapter 2, section 2490)," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

OLIVER HALL, Chairman.

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of investigating committee for stenographer and witness fees, amounting to \$9, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed, and would further report that said witnesses are not entitled mileage.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

L. C. CROW.

S. WARBURTON.

Senator Range moved to adopt the report.

Senator Wilson moved to amend by laying it on the table.

The amendment was carried.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 3, 1897.

MR. PRESIDENT:

The House has passed House bill No. 17, by Mr. Barlow: An act to amend an act entitled "An act to amend section six (6) of an act entitled 'An act to prescribe the duties and fix the compensation of the reporter of the supreme court, approved December 20, 1889, and declaring an emergency,' approved February 26, 1891," and declaring an emergency.

Also, House bill No. 184, by Mr. Merrifield: An act relating to dairy products, amending sections two and three of an act approved March 11, 1895, entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same or imitations thereof; providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 3, 1897.

MR. PRESIDENT:

The House has passed House bill No. 197, by Mr. Ames: An act relating to an act to amend section 35 of the Penal Code, as compiled in volume 2, Hill's Annotated Statutes and Codes of Washington, defining and punishing the crime of seduction.

Also, House concurrent resolution No. 11, by Mr. Freeman: Providing

for the appointment of a committee of five, three of which shall be from the House and two from the Senate, to advertise for and receive bids for suitable rooms for the officers of the state for the ensuing four years, and that said committee report to this House on or before February 10, 1897.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 3, 1897.

MR. PRESIDENT:

The House has passed House bill No. 97, by Mr. G. H. Baker: An act entitled "An act in relation to and to prevent the introduction or spread of disease among sheep, and declaring an emergency."

Also, House bill No. 94, by Mr. de Mattos: An act entitled "An act to regulate the fees of jurors, and repealing all laws inconsistent therewith."

Also, House bill No. 41, by Mr. Gerry: An act entitled "An act abolishing the office of lieutenant governor."

Also, House concurrent resolution No. 17, by Mr. Lusher: Providing for a conference with the Senate Committee on Education for the purpose of examining Superintendent Browne's codification of the school laws, and reporting their action in the matter to the legislature.

Also, House bill No. 107, by Mr. Hicks: An act entitled "An act to prohibit capital punishment in the State of Washington."

Also, House bill No. 176, by Mr. H. D. Smith: An act entitled "An act to prohibit the use of free passes by state, county, municipal and precinct officers," and the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

INTRODUCTION OF BILLS.

Senate bill No. 149, by Senator Warburton: An act relating to contracts of insurance.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 150, by Senator Range: An act amending sections 7 and 8 of chapter 56 of the Laws of Washington, 1893, entitled "An act in relation to garnishments," and approved March 8, 1893.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 151, by Senator Runner: An act relating to railroads.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 97, by Mr. G. H. Baker: An act in relation to and to prevent the introduction or spread of disease among sheep, and repealing An act in relation to and to prevent the introduction or spread of disease among sheep, approved February 2, 1888, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 94, by Mr. de Mattos: An act to regulate the fees of jurors.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 41, by Mr. Gerry: An act abolishing the office of lieutenant governor.

The bill was read the first time; and, on motion of Senator Easterday, as amended by Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee Elections and Privileges.

House bill No. 184, by Mr. Merrifield: An act relating to dairy products, amending sections 2 and 3 of an act approved March 11, 1895, entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same, or imitations thereof, providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 197, by Mr. Ames: An act to amend section 35 of the Penal Code, as compiled in vol. 2, Hill's Annotated Statutes and Codes of Washington, defining and punishing the crime of seduction.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 107, by Mr. Hicks: An act to prohibit capital punishment in the State of Washington.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

House bill No. 176, by Mr. H. D. Smith: An act relating to the use or issue of free passes or transportations by or to public officials, providing a penalty and declaring an emergency.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 17, by Mr. Barlow: An act to amend an act en-titled "An act to amend section six (6) of an act entitled 'An act to prescribe the duties and fix the compensation of the reporter of the supreme court,' approved December 20, 1889, and declaring an emergency," approved February 26, 1891," and declaring an emer-gency.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House concurrent resolution No. 17, by Mr. Lusher: Relative to a joint session of the Senate and House Committees on Education.

The resolution was adopted.

GENERAL FILE.

Senate bill No. 76, by Senator Davis: An act to prescribe the mode of payment of all obligations of debt to be paid in money.

On motion of Senator David Miller, the bill was laid on the table.

Senator Warburton was excused for nine days.

On motion of Senator Crow, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except

Senators Baum, Houghton, McReavy, Plummer, and Warburton, who were excused.

INTRODUCTION OF BILLS.

Senate bill No. 152, by Senator Taylor: An act to regulate the sanitary construction of house drainage and plumbing.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 153, by the Committee on Judiciary: An act to amend section 2776 of the Code of 1881, relating to the duties of coroner when sheriff is incapacitated.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate memorial No. 4, by Senator High: To the congress of the United States.

The memorial was read the first time; and, on motion of Senator High, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Agriculture.

House concurrent resolution No. 11, by Mr. Freeman: In relation to the appointment of a committee to secure rooms for state officers.

On motion of Senator Dorr, the resolution was referred to the Committee on Public Buildings and Grounds.

The following petition, presented by Senator Taylor, was referred to the Committee on Municipal Corporations:

To the Legislature of the State of Washington:

We, the undersigned citizens of the State of Washington, and residents of the city of Tacoma, do respectfully petition your honorable body to pass the bill, a copy of which is hereto annexed, being Senate bill No. 152, An act to promote the public health, and regulate the sanitary construction of house drainage and plumbing.

John Holgate, councilman; J. W. Hickman, M. D.; G. F. Whitly, councilman; R. E. Anderson & Co., loans and insurance; Dr. Arche G. Hicks; F. W. Southworth, M. D.; Arthur E. Burns, M. D.; Cavender Fowler Insurance Agency; J. M. Stein, real estate; G. W. Bullard, architect; O. W. Loughlin, M. D.; T. C. Rummel, M. D.; Robt. P. Maynard, financial agent; Fidelity Rent & Collection Company; Edward S. Orr, mayor; F. J. Schug, M. D., John S. Baker; J. Austen Wolbert, real estate; John M. Bell, councilman; J. W. Kleeb, councilman; Dr. G. D. Shaver.

Senate bill No. 76, by Senator Davis: An act to prescribe the

mode of payment of all obligations of debt to be paid in money, was taken from the table.

The bill was read the third time by sections.

Senator Wilson moved to amend section 1, by striking out of line 1 of printed bill, the words "from and after the passage of this act."

The amendment was lost.

Senator Wilson moved to strike out of line 4 of the printed bill, the words "and not otherwise."

The motion was lost.

On motion of Senator Cole, the words "the lawful moneys" in line 3 of the printed bill, were stricken out, and the words "either gold or silver coin" inserted in lieu thereof.

Senator T. J. Miller moved to strike out all of line 4 of the printed bill after the word "debtor," and all of line 5.

Senator David Miller moved to amend the amendment by striking out the words "and not otherwise, all or."

The amendment to the amendment was lost, and the original amendment prevailed.

On motion of Senator Yeend, the word "shall," in line 2 of the printed bill, was stricken out, and the word "may" inserted in lieu thereof.

Senator Taylor moved that the rules be suspended, the bill considered engrossed, and placed on its final passage.

Senator Yeend moved the previous question.

The motion was carried by the following vote: Yeas 20, nays 8, absent or not voting 6.

Those voting yea were: Senators Cole, Davis, Easterday, Frink, Hall, Harper, High, Keith, Lesh, Megler, Miller David, Paul, Range, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 20.

Those voting nay were: Senators Crow, Deckebach, Dorr, Field, Hill, Lewis, Miller T. J., and Rinehart — 8.

Absent or not voting: Senators Baum, Houghton, McReavy, Plummer, Pusey, and Warburton — 6.

The original motion of Senator Taylor was carried.

The bill was then passed by the following vote: Yeas 19, nays 9, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Davis, Easterday, Field, High, Keith, Lesh, Miller David, Miller T. J., Paul, Pusey,

Range, Reinhart, Runner, Taylor, Van Patten, Wilson, and Yeend — 19.

Those voting nay were: Senators Deckebach, Dorr, Frink, Hall, Harper, High, Lewis, Megler, and Washburn — 9.

Absent or not voting: Senators Baum, Houghton, McReavy, Plummer, Warburton, and Wooding — 6.

Senator Crow entered the following protest:

I enter my protest against the amendments in this bill, substituting "gold and silver" for "lawful money of the United States."

L. C. CROW.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson gave notice that he would move to reconsider the vote by which Senate bill No. 76 was passed.

On motion of Senator T. J. Miller, the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 4, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Baum, Plummer and Warburton, who were excused.

The journal of the preceding day was read and approved.

Senate concurrent resolution No. 16 was introduced by Senator High, as follows:

Resolved by the Senate, the House concurring. That the committee to be appointed to visit the school for defective youth be and are hereby instructed to go up the Columbia river by boat, as far as Cascade locks, for the purpose of gaining some information of the fishing industry of the Columbia river, particularly relating to fish wheels.

The resolution was adopted.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 41, entitled "An act abolishing the office of lieutenant governor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. W. TAYLOR.
DANIEL PAUL.
J. A. DAVIS.

Senator Washburn moved that the report be adopted.

Senator Dorr moved to amend by placing the bill referred to in the report, on general file.

The amendment was lost, and the original motion prevailed by the following vote: Yeas 20, nays 6, absent or not voting 8.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Field, High, Hill, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Reinhart, Runner, Taylor, Van Patten, Washburn, and Yeend — 20.

Those voting nay were: Senators Dorr, Harper, Lewis, Range, Wilson, and Wooding — 6.

Absent or not voting: Senators Baum, Easterday, Frink, Hall, Houghton, Lesh, Plummer, and Warburton — 8.

REPORTS OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, a majority of your Committee on Memorials, to whom was referred concurrent resolution No. 5, Relative to Cuban insurrection, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do not pass, for the reason that its purpose is embodied in concurrent resolution No. 3.

Respectfully submitted.

W. B. FIELD, Chairman.

I concur in this report:

JOHN I. YEEND.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1897.

MR. PRESIDENT:

I, of your Committee on Memorials, to whom was referred Senate concurrent resolution No. 5, entitled "An act concerning the independence of

and protectorate over Cuba," have had the same under consideration, and I respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

FRANK P. LEWIS.

On motion of Senator Lewis, the minority report was substituted for the majority report.

The minority report was then adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate concurrent resolution No. 3, regarding Cuban insurrection, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

I concur in this report:

JOHN I. YEEND.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1897.

MR. PRESIDENT:

I, of your Committee on Memorials, to whom was referred Senate concurrent resolution No. 3, regarding Cuban insurrection, have had the same under consideration, and I respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

FRANK P. LEWIS.

A motion by Senator Lewis, to substitute the minority for the majority report, was lost.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, a majority of your Committee on Memorials, to whom was referred Senate memorial No. 3, relative to appropriation for improvement of Clearwater river, have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

W. B. FIELD, Chairman.

I concur in this report:

JOHN I. YEEND.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA WASH., February 3, 1897.

MR. PRESIDENT:

I, of your Committee on Memorials, to whom was referred Senate memorial No. 3, entitled "An act concerning Clearwater river," have had the same under consideration, and I respectfully report the same

back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

FRANK P. LEWIS.

On motion of Senator Lewis, the minority report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 2, relative to roads, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

We concur in this report:

JOHN I. YEEND.

FRANK P. LEWIS.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 1, relative to matters on public land, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

I concur in this report:

JOHN I. YEEND.

REPORTS OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 83, entitled "An act providing for a lien upon monuments, grave stones, or other structure placed on any lot in any cemetery or burial ground in this state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report:

T. J. MILLER.

JOHN WOODING.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 32, entitled "An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ competent men to operate and assist in

operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended to read as follows:

Section 1, as amended, reads: Hereafter street railway or street car companies or street car corporations shall employ none but competent men to operate or assist in operating cars or dummies upon any street railway or street car line in this state.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report:

T. J. MILLER.

JOHN WOODING.

On motion of Senator T. J. Miller, the report was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 154, by Senator Paul: An act providing for a judge of the superior court in the counties of Douglas and Okanogan jointly, in the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Paul, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 155, by Senator Paul: An act in relation to prosecuting attorneys, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Paul, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 156, by Senator McReavy: An act to provide for the selection of official papers in the various counties of the state, directing the publication of all the county printing therein, and providing the compensation therefor, and for repealing sections 2936, 2937 and 2938 of chapter 65 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to county printing.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Printing.

Senate bill No. 157, by Senator McReavy: An act for the relief of W. E. Boone.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 158, by Senator Crow: An act to provide for the removal and permanent location of the seat of government of the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Buildings and Grounds.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

The House has passed House bill No. 120, by Mr. Nelson: An act to repeal sections one, two, three, four and seven of an act approved March 17, 1890, relating to the powers, rights and duties of corporations organized to build booms and to catch logs and timber products therein.

Also, House bill No. 117, by Mr. Nelson: An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 30, entitled "An act to amend section 1439 of volume 1 of the General Statutes and Codes of the State of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages," and the same is herewith sent to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

GENERAL FILE.

House bill No. 31, by Mr. Guie: An act to provide for the record of assignments and satisfactions.

The bill was read the third time; and, on motion of Senator Houghton, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh,

Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Baum, Davis, Frink, Plummer, Pusey, and Warburton — 6.

The title of the bill was amended to read as follows: An act relating to assignments and satisfactions of judgments.

President Daniels signed House bill No. 30, by Mr. Guie: An act to amend section 1439 of volume 1 of the General Statutes and Codes of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages.

Senate bill No. 53, by Senator Dorr: An act fixing the place of residence of the attorney general of the State of Washington, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Keith, the word “permanently,” in section 1, line 1 of the printed bill, was stricken out.

Senator Houghton moved to strike out of line 2 of the same section the words “during his term of office.”

The motion was lost.

Senator Crow moved to strike out section 2.

The motion was lost.

Senator Easterday moved to strike out the enacting clause.

The motion was lost.

Senator Houghton offered the following substitute for section 1:

SECTION 1. The attorney general shall remain in person at the seat of government during his term of office.

The substitute failed of adoption.

On motion of Senator Dorr, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 23, nays 4, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Hill, Houghton, Lesh, Lewis, Megler, Miller David, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, and Yeend — 23.

Those voting nay were: Senators Easterday, McReavy, Paul, and Runner — 4.

Absent or not voting: Senators Baum, Keith, Miller T. J., Plummer, Pusey, Warburton, and Wooding — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Houghton gave notice that he would move to reconsider the vote by which Senate bill No. 53 was passed.

On motion of Senator Davis, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Baum, Plummer and Warburton, who were excused.

The secretary read the following communications from the governor:

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 3, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 75, appropriating \$600 for clerical hire in the office of the land commissioner.

Very respectfully, J. E. BALLAINE, Private Secretary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 4, 1897.

The Honorable the Senate of the State of Washington:

GENTLEMEN—I have the honor to withdraw all the nominations submitted to the Senate during the pending session.

Very respectfully, J. R. ROGERS, Governor.

House bill No. 153, by Mr. Land: An act making it unlawful to kill or poison honey bees, and making it unlawful to place any poisoned sweetened substance where it is accessible to honey bees, and prescribing the punishment therefor, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Dorr, section 3 was stricken out.

On motion of Senator Range, the bill was placed on its final pas-

sage, and passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 26.

Senator Crow voted nay.

Absent or not voting: Senators Baum, Easterday, Houghton, Plummer, Pusey, Runner, and Warburton — 7.

On motion, the title was amended to read as follows: "An act making it unlawful to kill or poison honey bees, and making it unlawful to place any poisoned or sweetened substance for the purpose of injuring honey bees, and prescribing punishment therefor."

House bill No. 27, by Mr. Guie: An act to provide for exemptions in cases of assignments for the benefit of creditors.

The bill was read the third time by sections; and, on motion of Senator Range, placed on its final passage.

It was then passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Cole, Crow, Dorr, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Baum, Davis, Deckebach, Easterday, Houghton, Plummer, Pusey, and Warburton — 8.

The emergency clause was adopted by the following vote: Yeas 24, nays 2, absent or not voting 8.

Those voting yea were: Senators Cole, Crow, Davis, Dorr, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, and Wooding — 24.

Those voting nay were: Senators Lewis and Washburn — 2.

Absent or not voting: Senators Baum, Deckebach, Easterday, Houghton, Plummer, Pusey, Warburton, and Yeend — 8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 111, by Mr. Pierson: An act regulating and making it lawful for any farmer, gardener, or other person to

peddle, sell or deliver, free from all license, in any part of the state, and upon any day except Sunday, all fruits, vegetables or other farm or garden produce and all other edibles, making all ordinances in conflict void, and declaring an emergency.

The bill was read the third time by sections.

Senator Reinhart moved to amend section 1, by striking out the words "except Sundays" in line 6 of the printed bill.

The motion was lost.

On motion of Senator Wilson, the words "in any place in this state" were inserted after the word "peddle" in line 2, section 1 of the printed bill.

On motion of Senator Dorr, the same section was amended by striking out the word "solicit" in line 2 of the printed bill.

On motion of Senator Dorr, the bill was referred to the Committee on Education.

Senate bill No. 22, by Senator Taylor: An act providing for a lien for employes.

The bill was read the third time by sections.

Senator Wilson offered the following amendment to section 1: After the word "lien" in line 9 of the printed bill, add "*Provided, That such lien for labor or materials shall not take precedence over any conveyance filed for record prior to, or liens existing and of record at, the time when such labor is performed or material furnished.*"

The amendment was lost by the following vote: Yeas 10, nays 17, absent or not voting 7.

Those voting yea were: Senators Deckebach, Frink, Hall, Harper, Lewis, Megler, Paul, Washburn, Wilson, and Wooding—10.

Those voting nay were: Senators Cole, Crow, Davis, Dorr, Easterday, Field, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Reinhart, Runner, Taylor, Van Patten, and Yeend—17.

Absent or not voting: Senators Baum, High, Lesh, Plummer, Pusey, Range, and Warburton—7.

On motion, section 1 was amended by striking out the words "or furnishing materials, fuel or other supplies," in line 1 of the printed bill; also, the words "or supplies furnished," in line 7 of the printed bill.

On motion, section 2 was amended as follows: In line 2 of the printed bill, the words "his claim has fallen due" were stricken

out; the word "or" in line 2, and the words "furnish supplies" in line 3 of the printed bill, were stricken out; the word "to" in line 3 of the printed bill, was stricken out, and the word "for" inserted in lieu thereof; in line 4 of the printed bill, the words "or material furnished" were stricken out; in line 8 of the printed bill, the words "or purchasing the supplies" were stricken out; in line 10 of the printed bill, the words "or when the supplies were furnished" were stricken out.

Senator Davis moved to recommit the bill to the Committee on Judiciary.

The motion was lost.

On motion of Senator Dorr, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 28, nays 1, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wooding, and Yeend — 28.

Senator Wilson voted nay.

Absent or not voting: Senators Baum, Lesh, Plummer, Pusey, and Warburton — 5.

On motion of Senator McReavy, the Senate adjourned until tomorrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 5, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except

Senators Baum, Plummer, Pusey and Warburton, who were excused, and Senator Van Patten.

Senator Cole moved that the appointments of Governor McGraw, which were made a special order for February 10, 1897, at 2 o'clock p. m., be expunged from the calendar.

The motion was carried by the following vote: Yeas 17, nays 11, absent or not voting 6.

Those voting yea were: Senators Cole, Crow, Davis, Easterday, Field, High, Hill, Keith, McReavy, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, and Yeend — 17.

Those voting nay were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Washburn, Wilson, and Wooding — 11.

Absent or not voting: Senators Baum, Houghton, Plummer, Pusey, Van Patten, and Warburton — 6.

The following resolution was introduced by Senator Paul:

Resolved, That the Senate employ an assistant bill clerk, and that the secretary select from the clerks already engaged a person to fill such position.

Senator Paul moved that the resolution be adopted.

Senator Hill moved to amend by referring it to the Committee on Senate Employes other than Regular.

The amendment was carried, and the motion, as amended, prevailed.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON EDUCATIONAL INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 87, entitled "An act to amend section 1, chapter 65, of Session Laws of 1893, relating to boundaries of school districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report:

J. C. VAN PATTEN.

DANIEL PAUL.

J. M. FRINK.

J. A. COLE.

REPORT OF COMMITTEE ON PRINTING.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 106, entitled "An act to provide for the purchasing of stationery, desk supplies and furnishings for the state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendment, namely: Strike out all of section 3.

Respectfully submitted.

We concur in this report:

J. A. COLE, Chairman.

S. D. REINHART.

F. G. DECKEBACH.

R. C. WASHBURN.

On motion of Senator Cole, the report was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 22, entitled "An act providing for a lien for employes," have examined the same, and we respectfully report the same back to the Senate as being correctly engrossed.

Respectfully submitted.

We concur in this report:

J. G. MEGLER, Chairman.

J. A. COLE.

J. W. RANGE.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 39, entitled "An act to repeal an act authorizing actions against the state, approved March 20, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Dorr, Taylor, Wilson, and Houghton.

On motion of Senator Crow, the bill referred to in the report was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 68, entitled "An act to amend section 2 of an act entitled 'An act in

relation to attorneys and counselors at law, providing for admission to the bar,' approved March 19, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Taylor, Dorr, Houghton, and Wilson.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 107, entitled "An act permitting the original papers and judgment roll to be sent to the supreme court in case of appeal, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Washburn, Lewis, Wilson, Dorr, and Houghton.

On motion of Senator Wilson, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 104, entitled "An act to amend section 14 of an act entitled 'An act providing for the establishment and location of a state reform school, and to declare an emergency,' approved March 28, 1890," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out the words "or superintendent" in line 5 of section 1 of the original bill, and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Taylor, Dorr, Wilson, and Houghton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 28, entitled "An act defining false pretenses, fixing the punishment, and declaring an emergency," have had the same under consideration,

and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, and Houghton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 25, entitled "An act defining false pretenses, fixing the punishment, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Dorr, Houghton, and Lewis.

Senator Range moved that the bill referred to in the report be placed on the general file.

Senator Easterday moved to amend by adopting the report of the committee.

The amendment was carried, and the motion, as amended, prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 26, entitled "An act to amend section 463 of volume 1, Hill's Annotated Statutes and Codes of Washington, in regard to furnishing election officers with registration books," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Wilson, and Houghton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 27, entitled "An act providing that claims for damages, wages, materials and supplies, shall constitute and be a first lien on all corporation property where the corporation becomes insolvent," have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Wilson, and Houghton.

Senator Range moved that the bill referred to in the report be placed on general file.

Senator Dorr moved as an amendment, that the report of the committee be adopted.

The amendment was carried, and the motion as amended prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 114, entitled "An act to amend section 37 of chapter 127 of the Laws of 1893 of the State of Washington, entitled 'An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial,' approved March 15, 1893," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Strike out lines 14, 15 and 16 of the printed bill, and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Concurred in by Senators Washburn, Taylor, Lewis, Wilson, Dorr, and Houghton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 56, entitled "An act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same, and for using counterfeits of the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

That the title be amended to read as follows: "An act relating to trade marks;" in section 3, line 14 of the printed bill, strike out the words "one dollar," and insert in lieu thereof the words "two dollars;" after section 7 add to and make a part of said bill the following sections:

SEC. 8. Any person using the trade mark, so adopted and filed by any other person, or any imitation of such trade mark or any counterfeit thereof, or who shall, in any manner, mutilate, deface, destroy or remove such trade mark from any goods, wares, merchandise, article or articles, or from any package or packages containing the same, or from any empty or second-hand package which has contained the same or been used therefor, with the intention of using such empty or second-hand package, or of the same being used to contain goods, wares, merchandise, article or articles of the same general character as those for which they were first used; and any person who shall use any such empty or

second-hand package for the purpose aforesaid, without the consent in writing of the person whose trade mark was first applied thereto or placed thereon, shall, upon conviction thereof, be fined in a sum not less than \$100, or by imprisonment for not more than three months, and the goods, wares, merchandise, article or articles contained in any such second-hand package or packages shall be forfeited to the original user of such package or packages, whose trade mark was first applied thereto or placed thereon. The violation of any of the above provisions, as to each particular article or package, shall be held to be a separate offense.

SEC. 9. The word "person" in this act shall be construed to include a person, co-partnership, corporation, association or union of workingmen.

SEC. 10. Sections 3125, 3126, 3127, 3128, 3129 and 3130 of volume 1, Hill's Annotated Statutes and Codes of Washington, and all acts amendatory thereof, be and the same are hereby repealed.

And that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Wilson, Dorr, and Houghton.

I do not concur in that part of the foregoing report recommending the insertion of section 8. All that is good in it is but a repetition of that that is contained in other provisions of the bill. C. M. EASTERDAY.

On motion of Senator Dorr, the majority report was adopted.

The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 25, by Mr. de Mattos, An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the jurisdiction and powers of the supreme court.

Also, House bill No. 24, by Mr. de Mattos, An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the qualifications of electors.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 184, entitled "An act relating to dairy products, amending sections 2 and 3 of an act approved March 11, 1895, entitled 'An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same or imitations thereof, providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon chemists of state institutions, providing penalties for violations of

this law, making an appropriation, an declaring an emergency,' " have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

DAVID MILLER.

AUGUSTUS HIGH.

JOSEPH HILL.

REPORT OF COMMITTEE ON STATE CHARITABLE INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred Senate bill No. 81, entitled "An act amending section 1285 of Hill's Code, specifying who may be admitted to the soldier's home," have had the same under consideration, and we respectfully report the same back to the Senate, that as the provisions of Senate bill No. 81 having been incorporated with the substitute bill drawn by your committee and presented herewith, we therefor recommend that Senate bill No. 81 be indefinitely postponed, and that the substitute bill do pass.

Respectfully submitted.

C. W. DORR, Chairman.

We concur in this report:

J. M. FRINK.

AUGUSTUS HIGH.

F. C. HARPER.

W. E. RUNNER.

The report was adopted.

REPORT OF COMMITTEE ON STATE LIBRARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred the communication of the Tribune Printing Company, regarding the session laws, find: That the session laws for the period covered by the publication of the Tribune Printing Company are out of print; that the superior courts and various officers and institutions of the state have no copies for their use, and that such books are necessary; that the said Session Laws can rarely be obtained, and when for sale at all, sell for a price ranging from \$100 to \$150; that the state has stored a great number of session laws and supreme court reports of recent publication, and particularly of volumes 1, 2, 3, and 4 of supreme court reports the state has more than 1,200 of each, which it cannot dispose of.

Your committee further states that it has advised with the Judiciary Committee of your honorable body, and they recommend that the state procure fifty copies of the new publication by exchange and purchase.

Therefor, your committee report the bill hereto appended, and recommend that it do pass.

SENATE BILL No. 159, by Committee on State Library: An act to authorize and direct the state auditor to procure a publication of the session laws now out of print, by purchase and exchange, and provide for the distribution of the same, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington :

SECTION 1. The state auditor shall procure fifty copies, in all 250 volumes, of a publication of the Session Laws from 1854 to 1888, published under the direction of Frank Pierce, by the Tribune Printing Company. Each copy to consist of five volumes, indexed and gathered, ready for binding.

SEC. 2. He shall pay for the same on delivery, by delivering to the publishers thereof twenty-five copies each of the Session Laws of 1889-90, 1891 and 1895 at \$2 per volume, amounting to \$150; supreme court reports, in sets as near as possible, at the price of \$2.50 per volume, to the amount of \$350, and he shall draw a warrant on the state treasurer for the sum of \$3.40 per volume, in all \$850, the same being the balance of the purchase price, and the state treasurer shall pay the same in its order out of any funds not otherwise appropriated, as other general fund warrants are paid.

SEC. 3. The secretary of state and state librarian, on the requisition and receipt of the state auditor, shall deliver to him the necessary supreme court reports, for the purposes of this act.

SEC. 4. The state printing board shall have the said books bound in full law sheep by the state printer.

SEC. 5. The state auditor shall mark all of the volumes of the Session Laws received by impressing into the leather cover thereof the words "State property," and shall further write or stamp in ink, on the outside of the covers and in four different places on the printed pages, in large letters, the words "State property, for the use of, " filling in said blank, with location and name of court, officer or institution, to whom delivered; and he shall deliver to the superior court of each county in this state, or such as may hereafter be created, or department thereof, one copy, and to the state university library one copy, and all officers receiving said Session Laws shall deliver the same to their successors in office. The state auditor shall retain such copies undisposed of, and dispose of them as may hereafter be directed.

SEC. 6. The said Session Laws being out of print, and there being none for the use of the courts of this state, an emergency is declared to exist, and this act shall take effect from and after its passage.

Respectfully submitted.

R. C. WILSON, Chairman.

We concur in this report:

J. W. RANGE.

C. M. EASTERDAY.

INTRODUCTION OF BILLS.

House bill No. 25, by Mr. de Mattos: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the jurisdiction and powers of the supreme court.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 24, by Mr. de Mattos: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the qualifications of electors.

The bill was read the first time; and, on motion of Senator Wil-

son, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 117, by Mr. Nelson: An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for cleaning out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor."

The bill was read the first time; and, on motion of Senator Harper, the rules were suspended, the bill read the second time by title, and referred to the Committee on Dykes, Drains and Drainage.

House bill No. 120, by Mr. Nelson: An act to repeal sections 1, 2, 3, 4 and 7, of an act approved March 17, 1890, relating to the powers, rights and duties of corporations organized to build booms and to catch logs and timber products therein.

The bill was read the first time; and, on motion of Senator Harper, the rules were suspended, the bill read the second time by title, and referred to the Committee on Dykes, Drains and Drainage.

Senate bill No. 159, by Committee on State Library: An act to authorize the state auditor to procure a publication of the session laws now out of print by purchase and exchange, and to provide for the distribution of the same, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 160, by Senator Range: An act relating to the foreclosure of mortgages of real estate, and for the recovery of the debt secured by such mortgages on real estate, relating to sales in such cases, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

The following resolution was introduced by Senator Taylor:

WHEREAS, There are grave charges of corruption against Senator E. W. Taylor in the matter of election of United States senator: now, therefore, be it

Resolved, That a committee of three, consisting of Senators Dorr, Wilson and Washburn, be appointed a committee to examine into the said charges, and report thereon.

Amended by Senator High, that the committee investigate the charges of all the other names mentioned in connection with Senator Taylor.

The amendment carried, and the resolution was adopted.

The following resolution was introduced by Senator Wilson:

Resolved, That the committee appointed this day to examine into charges against Senator Taylor, and other members of this body, is hereby authorized to send for persons and papers.

The resolution was adopted.

Senator Megler was excused until Tuesday, February 9, 1897.

On motion of Senator Lewis, the Senate adjourned until 2:30 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Baum, Megler, Plummer, Pusey, and Warburton, who were excused, and Senator Van Patten.

Senator Paul was excused until Tuesday, February 9, 1897.

Senate bill No. 161, by Senator Cole: An act abolishing the state normal schools at Cheney and New Watcom.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

GENERAL FILE.

Senate bill No. 83, by Senator Yeend (by request): An act providing for a lien upon monuments, grave stones or other structure placed on any lot in any cemetery or burial ground in this state.

On motion, the bill was indefinitely postponed.

House bill No. 32, by Mr. Land: An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ competent men to operate and assist in operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act.

The bill was read the third time by sections.

Senator Dorr moved to strike out section 2.

Senator Yeend moved to amend by striking out all of said section after the word "gripman," in line four of the printed bill.

The amendment was carried, and the motion, as amended, prevailed.

On motion of Senator Taylor, the words, "on some street railway or street car line," were inserted after the word "gripman," in line four, section 2, of the printed bill.

On motion of Senator Houghton, the words, "as conductor, motorman or gripman," were inserted after the word "assist," in line 1 of the same section of the printed bill.

On motion of Senator Houghton, the words, "as conductor, motorman or gripman," were also inserted after the word "assist," in line 3, section 1, of the printed bill.

Senator T. J. Miller moved to strike out the word "six" in line 3, section 2 of the printed bill and insert in lieu thereof the word "sixty."

The motion was lost.

Senator Dorr moved to strike out section 2, as amended.

The motion was carried by the following vote: Yeas 14, nays 12, absent or not voting 8.

Those voting yea were: Senators Deckebach, Dorr, Easterday, Frink, Hall, Harper, Houghton, Lewis, McReavy, Miller David, Taylor, Washburn, Wilson, and Wooding — 14.

Those voting nay were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, Miller T. J., Range, Reinhart, Runner, Yeend — 12.

Absent or not voting: Senators Baum, Lesh, Megler, Paul, Plummer, Pusey, Van Patten, and Warburton — 8.

On motion of Senator Taylor, the words "experienced and" were inserted after the word "but" in line 3, section 1, of the printed bill.

Senator Dorr moved to insert the word "knowingly," before the word "employ," in line 3, section 1 of the printed bill.

The motion was lost.

Senator Crow moved that the bill be indefinitely postponed.

The motion was lost.

Section 2 having been stricken out, section 3 became section 2.

On motion of Senator Dorr, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Miller David, Miller T. J., Reinhart, Runner, Taylor, Washburn, Wilson, Wooding, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Baum, Houghton, Lesh, Megler, Paul, Plummer, Pusey, Range, Van Patten, and Warburton — 10.

On motion, the title was amended to read as follows: "An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ experienced and competent men to operate and assist in operating cars and dummies on such lines, and providing a penalty for the violation of this act."

Senator Frink gave notice that he would move to reconsider the vote by which House bill No. 32 was passed.

The Committee on Education submitted the following report:

REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 111, entitled "An act regulating, and making it lawful for any farmer, gardener, or other person to peddle, sell or deliver, free from all license, in any part of the state, except Sunday, all fruits, vegetables," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the substitute do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

D. E. LESH.

L. C. CROW.

On motion of Senator Crow, the report was adopted.

Senator Crow moved to take up Senate concurrent resolution No. 3, by Senator Keith, regarding Cuban insurrection.

The motion was carried.

On motion of Senator Lesh, the words "it is reported," were inserted after the word "and," in line 6 of the printed resolution.

On motion of Senator Crow, the name and number were changed from "Senate concurrent resolution No. 3" to "Senate memorial No. 5."

On motion of Senator Keith, the memorial was placed on its final passage.

The vote on its passage resulted as follows: Yeas 17, nays 5, absent or not voting 12.

Those voting yea were: Senators Cole, Crow, Davis, Dorr, Field, Frink, Harper, High, Hill, Keith, Lesh, Miller David, Miller T. J., Range, Runner, Taylor, and Yeend — 17.

Those voting nay were: Senators Easterday, Hall, Lewis, McReavy, and Reinhart — 5.

Absent or not voting: Senators Baum, Deckebach, Houghton, Megler, Paul, Plummer, Pusey, Van Patten, Warburton, Washburn, Wilson, and Wooding — 12.

Not having received a majority of the votes of the Senate, the memorial failed to pass.

The Committee on Senate Employes other than Regular submitted the following report:

REPORT OF COMMITTEE ON SENATE EMPLOYES OTHER
THAN REGULAR.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Senate Employes other than Regular, to whom was referred the accompanying suggestions of the Committee on Enrolled Bills, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the following named persons be engaged in order as named to perform the duties of assistant enrolling clerks, as their services may be required: (1) R. H. Norton; (2) H. N. Martin; (3) Miss Alice C. Strohm; (4) R. W. Winchell.

Respectfully submitted.

DANIEL PAUL, Chairman.

We concur in this report:

F. C. HARPER.

OLIVER HALL.

JOSEPH HILL.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1897.

To the Committee on Senate Employes other than Regular:

The Committee on Enrolled Bills, to whom was referred the matter of selecting assistants for the enrolling department, have examined the work of many applicants and have had the same under consideration, and we respectfully report that we find the following named persons to be most competent of the applicants for the positions named, to wit: Miss Alice C. Strohm, H. N. Martin, R. W. Winchell and R. H. Norton, and we respectfully recommend that your committee present their names to

the Senate, with the recommendation that they be elected at once as assistant enrolling clerks and be placed upon duty, as their services are required in an order to be named by you.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

Senator Range moved to amend the report by placing the name of R. W. Winchell first on the list contained in the report.

Senator Davis moved to amend the amendment by placing the name of Mr. Winchell second on the list.

The amendment was accepted by Senator Range, and the original amendment as amended was lost.

Senator Lesh moved to adjourn until Monday, February 8, 1897, at 1:30 o'clock P. M.

The motion was lost.

On motion of Senator Dorr, the report of the Committee on Senate Employes other than Regular was adopted.

On motion of Senator Lesh, the Senate adjourned until Monday, February 8, 1897, at 1:30 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-NINTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 8, 1897. }
1:30 o'clock P. M.

President pro tem. Plummer called the Senate to order at 1:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Megler, Paul, Warburton and Wooding, who were excused.

Senator Van Patten was excused for being absent on Friday.

The journal of Friday was read and approved.

Senator David Miller presented a petition signed by O. M. Tucker

and twenty-seven other citizens of Waitsburg, Washington, praying that a law be passed granting to women equal suffrage with men.

On motion of Senator David Miller, the petition was referred to the Committee on Constitution and Constitutional Revision.

Senator Harper presented a petition signed by George L. Gross and 338 other citizens of San Juan county, praying that the present law relative to the maintenance and operation of fish traps be retained, and that any change in such laws be confined to a reasonable increase in the amount of license to be paid by such traps.

On motion of Senator Harper, the petition was referred to the Committee on Fisheries.

A similar petition was also presented by Senator Harper, signed by the mayor, city clerk and members of the city council of the city of Anacortes.

On motion of Senator Harper, it was referred to the Committee on Fisheries.

Senator Frink presented a similar petition, signed by the Seattle Hardware Company and fifty-three other wholesale and retail firms of the city of Seattle.

On motion of Senator Frink, it was referred to the Committee on Fisheries.

Senator Crow presented a petition, signed by Ben Clark and twenty-nine other citizens of Whitman county, praying that the office of state dairy commissioner be continued.

On motion of Senator Crow, it was referred to the Committee on Agriculture.

A similar petition, signed by R. A. Williams and eleven other citizens of Columbia county, was presented by Senator Van Patten.

On motion of Senator Van Patten, it was referred to the Committee on Agriculture.

Senator Crow presented a petition, signed by the judge of the superior court, clerk of the superior court, sheriff and twenty-nine citizens of Whitman county, praying that an emergency clause be not attached to any bills changing the practice act, and that in case any of the bills become a law with an emergency clause attached, the legislature provide that copies of said law be immediately sent to each and every superior judge in the state.

On motion of Senator Crow, the petition was referred to the Committee on Judiciary.

Senator Davis presented a petition, signed by James B. Dowd and twenty-seven other citizens of King county, praying for the establishment of a state mining bureau.

On motion of Senator Davis, the petition was referred to the Committee on Mines and Mining.

Senator Davis also presented a similar petition, signed by E. C. Ferguson and thirty-six other citizens of Snohomish county.

On motion of Senator Davis, the petition was referred to the Committee on Mines and Mining.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 112, by Mr. J. O. Edwards: An act entitled "An act to regulate the weighing and measuring of coal mined in this state."

Also, House bill No. 152, by Mr. J. O. Edwards: An act entitled "An act to provide for the recovery of the bodies of workmen enclosed or entombed in coal mines."

Also, House bill No. 135, by Mr. J. O. Edwards: An act entitled "An act for the protection of persons working in coal mines, and declaring an emergency."

Also, House bill No. 179, by Mr. McAtee: An act entitled "An act for the protection of fish in stocked lakes."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The House has refused to pass Senate concurrent resolution No. 14, by Senator Crow: Providing for the appointment of a committee to visit the agricultural college and school of science, at Pullman, and report the condition of the same, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

The following resolution was introduced by Senator Deckebach:

WHEREAS, The present room in which the enrolling work of the Senate is done, is unsuited for the performing of such work, on account of its publicity, be it

Resolved, That the sergeant-at-arms is hereby instructed to provide a part of the said room with such protection, in the way of partitions, as will separate the same from the balance of the room, and thereby provide the proper seclusion and quiet necessary for the performing of clerical work.

The resolution was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 163, by Committee on Judiciary: An act to amend section 1886 of the code of 1881, prescribing the jurisdiction of justices of the peace in criminal actions.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 164, by Senator David Miller: An act to regulate common carriers and to create a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in charges of common carriers may be prevented, and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and common carriers and afford common carriers and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide measures and rules for its enforcement, and declaring an emergency.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 165, by Senator Davis: An act for expediting the completion of the state capitol building, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Buildings and Grounds.

Senate bill No. 166, by Senator Davis: An act providing for and regulating appeals to the superior court from any decision or order of the board of county commissioners.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 167, by Senator Davis: An act to provide for the establishment, maintenance and support of a bureau to be known as the "state mining bureau," and to define its powers and duties, and declaring an emergency.

The bill was read the first time; and, on motion of Senator

Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

The president announced that the time had arrived for the consideration of Senate bill No. 5, by Senator Taylor: An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington.

The bill was read the third time by sections.

Senator Taylor moved that section 2 be amended to read as follows:

SEC. 2. No suit, action or other proceedings shall ever be had, on any judgment rendered in the State of Washington, by which the lien or duration of such judgment, claim or demand shall be extended or continue in force for any greater or longer period than six years from the date of the entry of the original judgment.

The motion was carried by the following vote: Yeas 20, nays 9, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Field, High, Hill, Houghton, Keith, Lesh, McReavy, Miller David, Miller T. J., Plummer, Pusey, Reinhart, Runner, Taylor, Van Patten, and Yeend—20.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Frink, Hall, Harper, Lewis, Washburn, and Wilson—9.

Absent or not voting: Senators Megler, Paul, Range, Warburton and Wooding—5.

On motion of Senator Taylor, section 3 was inserted, which reads as follows:

SEC. 3. When the lien of any judgment, as specified in section 1 of this act, has run six years, or its duration will be less than one year by reason of this act, then the lien of such judgment shall continue for one year from and after the taking effect of this act.

Senator Lewis moved that the bill, as amended, be engrossed and printed.

The motion was carried.

On motion of Senator Houghton, the word "that," the first word in section 4, was stricken out.

Senator Taylor moved to reconsider the motion of Senator Lewis, by which Senate bill No. 5 was ordered engrossed and printed.

The motion was carried.

Senator Taylor moved to amend the motion by striking out the words "and printed."

The amendment was carried, and the motion as amended prevailed.

Pursuant to notice given on Thursday, February 4, 1897, Senator Houghton moved to reconsider the vote by which Senate bill No. 53 was passed.

The motion was carried.

On motion of Senator Houghton, the bill was referred to the Committee on Judiciary.

The president announced that the time had arrived for the consideration of vetoed Senate bill No. 196, an act for the relief of John Dorsey, and making an appropriation therefor.

The bill, and veto message of the governor, were read in full.

The vote on the question, Shall the bill pass, notwithstanding the governor's veto? resulted as follows: Yeas 10, nays 17, absent or not voting 7.

Those voting yea were: Senators Baum, Davis, Deckebach, High, Houghton, Keith, McReavy, Miller T. J., Plummer, and Runner — 10.

Those voting nay were: Senators Crow, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Lewis, Miller David, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, and Yeend — 17.

Absent or not voting: Senators Cole, Lesh, Megler, Paul, Pusey, Warburton, and Wooding — 7.

The president announced that the time had arrived for the consideration of Senate bill No 35, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of attorney general.

The bill was read the third time by sections.

Senator Dorr offered the following amendment: Add to section 1 "and shall reside at the seat of government during his term of office."

On motion of Senator David Miller, the amendment was laid on the table.

The president ruled that the placing of the amendment on the table placed the bill there also.

Senators Taylor, High and McReavy appealed from the decision of the chair.

The decision of the chair was sustained by the Senate.

The president announced that the time had arrived for the con-

sideration of Senate bill No. 29, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salaries of the supreme court judges.

Senator Lesh moved to strike out of section 1 all of line 5 of the printed bill after the figure "4," and all of line 6 up to the word "each."

Senator David Miller moved to amend by striking out the word "twenty," in line 6, section 1, of the printed bill, and insert in lieu thereof the word "thirty."

The amendment was adopted.

On motion, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill failed to pass by the following vote: Yeas 17, nays 11, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Field, Frink, Harper, High, Hill, Keith, McReavy, Miller T. J., Range, Runner, Taylor, Van Patten, and Yeend — 17.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Hall, Houghton, Lesh, Lewis, Miller David, Plummer, Washburn, and Wilson — 11.

Absent or not voting: Senators Megler, Paul, Pusey, Reinhart, Warburton, and Wooding — 6.

Not having received two-thirds of votes of the senate, the bill failed to pass.

Senator Range gave notice that he would move to reconsider the vote by which Senate bill No. 29 failed to pass.

Senate bill No. 30, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the governor.

Senator Lesh moved to strike out section 3.

The motion was lost.

Senator Dorr moved to amend section 1 by striking out the word "two," in line 5 of the printed bill, and inserting in lieu thereof the word "five;" also, by striking out the word "three," in line 6 of the printed bill, and inserting in lieu thereof the word "ten."

Senator Range moved to amend by adopting the report of the committee.

The amendment to the amendment was carried.

On motion of Senator Crow, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It failed to pass by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, East-erday, Field, Harper, High, Hill, Keith, Lesh, McReavy, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 21.

Those voting nay were: Senators Deckebach, Dorr, Frink, Hall, Lewis, Washburn, and Wilson — 7.

Absent or not voting: Senators Houghton, Megler, Paul, Pusey, Warburton, and Wooding — 6.

Not having received two-thirds of the votes of the Senate, the bill failed to pass.

Senate bill No. 33, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the secretary of state.

Senator Taylor moved that the bill be indefinitely postponed.

The motion was lost by the following vote: Yeas 10, nays 16, absent or not voting 8.

Those voting yea were: Senators Baum, Deckebach, Dorr, East-erday, Frink, Harper, Lewis, Miller David, Washburn, and Wil-son — 10.

Those voting nay were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, Lesh, McReavy, Miller T. J., Plummer, Range, Rein-hart, Runner, Van Patten, and Yeend — 16.

Absent or not voting: Senators Hall, Houghton, Megler, Paul, Pusey, Taylor, Warburton, and Wooding — 8.

Senators Crow, Davis and T. J. Miller demanded a call of the Senate.

All of the members answered to their names except Senators Megler, Paul, Pusey, Warburton and Wooding, who were excused.

On motion of Senator Lewis, the further call of the Senate was dispensed with.

On motion, the bill was placed on its final passage.

The bill was then passed by the following vote: Yeas 23, nays 6, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 23.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Lewis, Washburn, and Wilson — 6.

Absent or not voting: Senators Megler, Paul, Pusey, Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 31, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the auditor.

On motion of Senator Harper, the bill was indefinitely postponed.

Senate bill No. 34, by Senator High: An act providing for the constitutional amendment relating to the reduction of the salary of the treasurer.

On motion of Senator Harper, the bill was indefinitely postponed.

Senate bill No. 36, by Senator High: An act providing for a constitutional amendment relating to the reduction of the salary of the superintendent of public instruction.

The bill was read the third time by sections.

On motion of Senator T. J. Miller, an enacting clause was inserted before section 1, which reads as follows: "Be it enacted by the Legislature of the State of Washington."

On motion, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 24, nays 5, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 24.

Those voting nay were: Senators Deckebach, Frink, Lewis, Washburn, and Wilson — 5.

Absent or not voting: Senators Megler, Paul, Pusey, Warburton, and Wooding — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator T. J. Miller gave notice that he would move to reconsider the vote by which Senate bill No. 33 was passed.

Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the Constitution of the State of Washington, embodying the right of woman suffrage.

On motion of Senator T. J. Miller, as amended by Senator Cole, the words "section 1," in line 4, and also in line 6 of section 3 of the printed bill, were stricken out.

On motion of Senator McReavy, the bill was recommitted to the Committee on Constitution and Constitutional Revision.

On motion of Senator Wilson, Senate bill No. 12, by Senator Plummer, "An act to repeal an act entitled 'An act to authorize and regulate primary elections of voluntary political associations; to provide for punishment of frauds therein,' approved March 21, 1895, and declaring an emergency," was taken from the table and made a special order for Monday, February 15, 1897, at 2 o'clock P. M.

On motion of Senator Wilson, Senate bill No. 11, by Senator Plummer, "An act to amend section 4 of an act entitled 'An act amending sections 356 and 361 of chapter 3, title 8; also sections 367, 379, 384, 385, 390 and 391 of chapter 3, title 8; also sections 397 and 401 of chapter 4, title 8; also sections 418 and 423 of chapter 5, title 8, vol. 1, Hill's Annotated Codes and Statutes of Washington; also amending section 380, vol. 1, Hill's Annotated Codes and Statutes,' as amended by section — of chapter 91 of the Laws of 1893, in relation to elections; approved March 21, 1895, and declaring an emergency," was taken from the table and made a special order for Monday, February 15, 1897, at 2:30 o'clock P. M.

On motion of Senator McReavy, the Senate adjourned until tomorrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 9, 1897. }
10 o'clock A. M.

President pro tem. Plummer called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Paul and Warburton, who were excused.

The journal of yesterday was read and approved.

Senate joint resolution No. 17, by Senator T. J. Miller: Relating to state granted lands.

On motion of Senator T. J. Miller, the resolution was adopted.

The secretary read the following reports of standing committees.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 5, entitled "An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington," have examined the same, and we respectfully report the same back to the Senate, as being correctly engrossed.

Respectfully submitted.

J. W. RANGE.
J. A. COLE.

REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,
OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 108, entitled "An act to prevent the unauthorized interference with electric meters, wires and cables, used for measuring and conducting electric currents," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, with the following amendments: In line 10 of section 1 of the printed bill, strike out the word "twenty" and insert the word "ten" in lieu thereof; and in the same line strike out

the figures "20" in the parenthesis, and insert the figures "10" in lieu thereof. In line 11, strike out the word "five" and substitute the word "one," and change the figures "500" to "100." Strike out all after the figures in line 11, so that the act will terminate with the last parenthesis.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

J. C. VAN PATTEN.

W. E. RUNNER.

DAVID MILLER.

C. W. DORR.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 101, entitled "An act providing that railway and other corporations shall be liable for damages to all persons, including employes, who shall be injured by the negligence or willful wrongs of commission or omission of their agents or employes; prohibiting settlements with persons injured, without the advice of attorney; making contracts restricting liability illegal and declaring it illegal for agents, employes and physicians of a corporation to suggest settlement while the injured person is confined to his bed, and declaring contracts entered into upon such suggestions illegal and void; and declaring an emergency to exist." have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

J. C. VAN PATTEN.

THOS. J. MILLER.

C. W. DORR.

W. E. RUNNER.

DAVID MILLER.

F. M. BAUM.

On motion of Senator Crow, the report was adopted.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 8, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate Bill No. 66, entitled "An act for the relief of O. M. Hidden," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

R. C. WILSON.

REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 99, entitled "An act defining trusts and providing the penalty and punishment of corporations, persons, firms, associations, or persons connected with them, and making void all contracts entered into for the purpose; and to promote free competition in the State of Washington; making persons concerned in and violating the act competent witnesses, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

J. C. VAN PATTEN.

T. J. MILLER.

C. W. DORR.

W. E. RUNNER.

DAVID MILLER.

F. M. BAUM.

On motion of Senator Crow, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 151, entitled "An act relating to railroads," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments: In line 8 of section 2 of the printed bill, strike out the first word "and," and substitute "or" in lieu thereof.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

J. C. VAN PATTEN.

THOS. J. MILLER.

C. W. DORR.

W. E. RUNNER.

DAVID MILLER.

F. M. BAUM.

On motion of Senator Crow, the report was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 76, entitled "An act to prescribe the mode of payment of all ob-

ligations of debt to be paid in money," have examined the same, and we respectfully report the same back to the Senate as being correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. W. RANGE.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1897.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred House concurrent resolution No. 11, "Providing for the appointment of a joint committee of two from the Senate and three from the House to advertise for and receive bids for suitable quarters for state officers for the ensuing four years," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the Senate concur, and that the concurrent resolution do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report:

L. C. CROW.

H. E. HOUGHTON.

J. A. COLE.

JOHN WOODING.

Senator Lesh presented a petition, signed by the president and members of the faculty of the Washington agricultural college and school of science, praying that such legislation be adopted as will lessen the lavish destruction of forests by fire.

On motion of Senator Lesh, the petition was referred to the Committee on Irrigation and Arid Lands.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 16, by Mr. Witt: Providing for a committee of five, consisting of three from the House and two from the Senate, to draft a bill, or series of bills, providing for the abolishing of certain commissions and boards for the control of state institutions.

Also, House bill No. 375, by Mr. Struve: An act entitled "An act to amend section 1418 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the adoption of legal heirs."

And the same are herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 8, by Senator Taylor: An act entitled "An act prohibiting advertisement in matters of divorce;" and the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 27: An act entitled "An act to provide for exemptions in cases of assignments for the benefit of creditors."

Also, House concurrent resolution No. 17: Relating to the examination of the codification of school laws.

And the same are herewith sent to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Plummer signed the above House bill No. 27 and House concurrent resolution No. 17.

INTRODUCTION OF BILLS.

House bill No. 112, by Mr. J. O. Edwards: An act to regulate the weighing and measuring of coal mined in this state.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 152, by Mr. J. O. Edwards: An act to provide for the recovery of the bodies of workmen entombed in coal mines.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 135, by Mr. J. O. Edwards: An act for the protection of persons working in coal mines, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 179, by Mr. McAtee: An act for the protection of fish in stocked lakes.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 162, by Committee on Education: An act to permit farmers, gardeners and manufacturers to dispose of the products of their labor.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

Senate bill No. 168, by Senator Keith: An act to prohibit and punish the importation and sale of unwholesome dairy products within the state.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 169, by Senator Easterday: An act relating to witness fees.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 170, by Senator Plummer: An act to amend section 1672 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to depositions, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 171, by Senator Plummer: An act relating to negotiable instruments.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 172, by Committee on State Charitable Institutions: An act to amend section 2 of an act of the legislature of the State of Washington entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors, marines and also members of the state militia disabled while in the line of duty and who are bona fide citizens of this state," approved March 26, 1890.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 173, by Senator Houghton: An act in relation to instructions to juries in civil and criminal cases.

The bill was read the first time; and, on motion of Senator Houghton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 174, by Senator Baum: An act providing for the disorganization and liquidation of irrigation districts which have no bonded indebtedness, and the winding up of their affairs.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 175, by Senator Crow: An act making an appropriation for the improvement and equipment of the agricultural college, experiment station and school of science, and for the reimbursement of the Morrill fund.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

Senate bill No. 176, by Senator T. J. Miller: An act fixing the date of maturity of checks, drafts, certificates of deposit and other evidences of indebtedness, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 177, by Senator High: An act providing for a constitutional amendment relating to the salaries of state officers.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 5, by Senator Taylor: An act relating to the duration of judgments and repealing sections 462 and 463, volume 2, Hill's Code of Washington.

Senator Taylor moved that the bill be placed on its final passage.

Senator Lewis moved as an amendment that the bill be re-committed to the Committee on Judiciary, with instructions to amend by adding the following: "*Provided*, That the provisions of this act shall not apply to existing judgments."

The amendment was lost, and the original motion prevailed.

The bill was then passed by the following vote: Yeas 21, nays 8, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Field, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 21.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Frink, Hall, Lewis, Washburn, and Wilson — 8.

Absent or not voting: Senators Harper, Paul, Pusey, Warburton, and Wooding — 5.

Senators Lewis, Dorr and Wilson entered the following protest:

Because we consider Senate bill No. 5 unconstitutional, we protest against the action of the Senate in refusing to amend it so as to exclude existing judgments; and against the passing of said bill.

FRANK P. LEWIS.

C. W. DORR.

R. C. WILSON.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 39, by Senator Crow: An act to repeal an act authorizing actions against the state, approved March 20, 1895.

On motion of Senator Crow, the consideration of the bill was deferred until the afternoon session.

Senate bill No. 56, by Senator T. J. Miller: An act relating to labels, trade marks and advertisements, and to provide for their protection and punishment for counterfeiting the same, and for using counterfeits of the same.

Senator Easterday moved to refer the bill to the Committee on Judiciary.

The motion was lost.

The bill was read the third time by sections; and, on motion of Senator T. J. Miller, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 29.

Nays: None.

Absent or not voting: Senators High, Lesh, Paul, Warburton, and Wooding—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Houghton moved to reconsider the vote by which Senate bill No. 56 was passed.

The motion was unanimously carried.

On motion of Senator Miller, the bill was ordered engrossed.

Senate bill No. 104, by Senator Yeend: An act to amend section 14 of an act entitled "An act providing for the establishment and location of a state reform school, and to declare an emergency," approved March 28, 1890.

The bill was read the third time by sections.

Senator Deckebach moved to amend section 1 by striking out the word "ten" and the figures "1,000," in line 4 of the printed bill, and inserting in lieu thereof the word "twelve" and the figures "1,200" respectfully.

The amendment was carried.

On motion of Senator Easterday, section 2 was stricken out.

On motion of Senator Yeend, the bill was ordered engrossed.

Senate memorial No. 1, by Senator T. J. Miller: Relative to matter on public lands.

The memorial was read the third time.

Senator T. J. Miller moved that the rules be suspended, the memorial considered engrossed, and placed on its final passage.

On motion of Senator Davis, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President pro tem. Plummer called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Paul and Warburton, who were excused.

The motion of Senator T. J. Miller, in regard to Senate memorial No. 1, made previous to the adjournment of the morning session, was taken up.

On motion, the memorial was amended to read as follows:

To the Honorable the Senate and House of Representatives of the United States:

Your memorialists, the Senate and House of Representatives of the State of Washington, most respectfully urge the repeal of those portions of the act of February 22, 1889, which fix a minimum price for which granted lands may be sold and a maximum term of years for which said lands may be leased by the State of Washington, and your memorialists will ever pray.

Senator Houghton moved that the memorial be indefinitely postponed.

The motion was lost.

The original motion of Senator T. J. Miller was carried.

On motion of Senator Houghton, said motion was reconsidered.

Senator Wilson moved to lay it on the table.

The motion was carried.

The secretary read the following communication from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 9, 1897.

*The Honorable, the Senate of the State of Washington, Senate Chamber,
Olympia, Washington:*

GENTLEMEN—I have the honor to transmit herewith a list of appointments, submitted to you for confirmation:

BOARD OF HEALTH, COLLECTION DISTRICT OF PUGET SOUND.

Quincy A. Brooks, of Jefferson county, appointed February 9, 1897, for the term ending March 7, 1898, vice F. W. Hastings, nomination withdrawn.

Samuel Hadlock, of Jefferson county, appointed February 9, 1897, for the term ending March 7, 1898, vice Nathaniel C. Strong, nomination withdrawn.

L. D. Smith, of Jefferson county, appointed February 9, 1897, for the term ending March 7, 1898, vice Jacob Behrman, of Jefferson county, nomination withdrawn.

These appointments are made under section 2186, Code of 1881.

Very respectfully, J. R. ROGERS, Governor.

On motion of Senator Taylor, the appointments contained in the communication were ordered printed.

The president announced that the time had arrived for the consideration of Senate bill No. 7, by Senator Taylor: An act providing for the division of the State of Washington into congressional districts.

Senator Range moved to amend section 1 by inserting after the

word "and," in line 4 of the printed bill, the words "that portion of," and by inserting after the word "Spokane," in the same line, the words "lying north of the Spokane river."

The amendment failed of adoption.

Senator Crow was called into the chair.

On motion of Senator Yeend, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill failed of passage by the following vote: Yeas 13, nays 18, absent or not voting 3.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, High, Hill, Miller David, Taylor, Van Patten, Wooding, and Yeend — 13.

Those voting nay were: Senators Field, Frink, Hall, Harper, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Washburn, and Wilson — 18.

Absent or not voting: Senators Baum, Paul, and Warburton — 3.

President pro tem. Plummer resumed the chair.

Senate memorial No. 2, by Senator T. J. Miller: Relative to roads.

The memorial was read the third time.

Senate bill No. 153, by Judiciary Committee: An act to amend section 2276 of the Code of 1881, relating to the duties of coroner when sheriff is incapacitated.

The bill was read the third time by sections.

On motion of Senator Houghton, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Keith, Lesh, Paul, Warburton, and Washburn — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 184, by Mr. Merrifield: An act relating to dairy

products, amending sections two and three of an act approved March 11, 1895, entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same or imitations thereof; providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency."

On motion, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 31, nays 1, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Wooding — 31.

Senator Yeend voted nay.

Absent or not voting: Senators Paul and Warburton — 2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 87, by Senator Harper: An act to amend section 1, chapter 65 of Session Laws, approved March 9, 1893.

The bill was read the third time by sections.

Senate bill No. 106, by Senator Cole: An act providing for the purchase of stationery, desk supplies and furnishings required by the state, and making an appropriation therefor.

The bill was read the third time by sections.

On motion of Senator Dorr, the word "now" in line 3, section 1, of the printed bill, was stricken out.

Senate bill No. 114, by Senator Houghton: An act to amend section 37 of chapter 127 of the Laws of 1893 of the State of Washington, entitled "An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial," approved March 15, 1893.

On motion of Senator T. J. Miller, the word and figure "Section 1," were inserted before the word "that," in line 1 of the printed bill.

On motion of Senator Houghton, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Lewis, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Taylor, Van Patten, Wilson, Wooding, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Deckebach, Frink, Keith, Lesh, McReavy, Paul, Pusey, Runner, Warburton, and Washburn — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 104, entitled "An act to amend section 14 of an act entitled 'An act to provide for the establishment and location of a state reform school,' and to declare an emergency," have compared and examined the same, and we respectfully report the same back to the Senate as being correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. W. RANGE.

J. A. COLE.

On motion of Senator Range, the report was adopted, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 1, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Lewis, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 25.

Senator Frink voted nay.

Absent or not voting: Senators Crow, Keith, Lesh, McReavy, Paul, Pusey, Warburton, and Wooding — 8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion, the title of Senate bill No. 106 was amended to read as follows: "An act providing for the purchase of stationery, desk supplies and furnishings required by the state legislature."

On motion of Senator Houghton, the committee appointed to investigate the charges against Senator Taylor and other senators, was requested to report to-morrow morning.

Senate bill No. 163, by Judiciary Committee: An act to amend section 1886 of Code of 1881, prescribing the jurisdiction of justices of the peace in criminal actions.

The bill was read the third time by sections.

On motion of Senator Easterday, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Lewis, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Van Patten, Washburn, Wilson, and Yeend — 24.

Senator Taylor voted nay.

Absent or not voting: Senators Frink, Houghton, Keith, Lesh, McReavy, Paul, Pusey, Warburton, and Wooding — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senators Crow and Wilson gave notice that at the proper time they would move to reconsider the vote by which Senate bill No. 163 was passed.

Senator Harper presented a communication from the East Sound Reading Room and Literary Society, stating that the members of the society were unanimously opposed to the passage of a law exempting personal property from taxation to the amount of \$2,500.

On motion of Senator Harper, it was referred to the Committee on Public Revenue and Taxation.

INTRODUCTION OF BILLS.

Senate memorial No. 6, by Senator Harper: In relation to reserves for military and lighthouse purposes.

The memorial was read the first time; and, on motion of Senator Harper, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

Senate bill No. 178, by Senator Keith: An act to amend section 4 of the act entitled "An act regulating the manufacture of dairy produce, to prevent deception or fraud in the sale of the same or imitation thereof, providing for the appointment of a dairy com-

missioner, and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon the chemists of the state institutions, providing penalties for the violation of this law, making an appropriation, and declaring an emergency," of the Session Laws of 1895, approved March 11, 1895.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 179, by Senator Lesh: An act providing for a constitutional amendment relating to the reduction of the salaries of the superior court judges.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 180, by Senator David Miller: An act to repeal an act to provide for state grain weighing and grading, creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the Committee on Agriculture.

On motion of Senator Dorr, the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 10, 1897. }
10 o'clock A. M.

President pro tem. Plummer called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Harper and Warburton, who were excused.

The journal of yesterday was read and approved.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 56, entitled "An act relating to trade marks," have examined and compared the same, and we report the same back to the Senate, that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. W. RANGE.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 94, entitled "An act to regulate the fees of jurors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

THOS. J. MILLER.

J. C. VAN PATTEN.

DAVID MILLER.

C. W. DORR.

The report was adopted.

REPORT OF COMMITTEE ON EDUCATIONAL INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 147, entitled "An act authorizing and empowering boards of county commissioners to give, grant and convey real property belonging to their respective counties to the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report:

J. A. COLE.

J. M. FRINK.

J. C. VAN PATTEN.

The report was adopted.

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 51, entitled "An act providing for a constitutional amendment, conferring the elective franchise on women," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out in the fourth line of section 3 of the printed bill the word and figure, "section 1," and by striking out the same word and figure in the sixth line of section 3, and that as so amended it do pass.

Respectfully submitted.

THOS. J. MILLER. Chairman.

We concur in this report:

E. W. TAYLOR.

DAVID MILLER.

J. W. RANGE.

W. H. PLUMMER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 102, entitled "An act to provide for voting on constitutional amendment at the general election to be held in November, 1898, relating to exemption from taxation of homesteads, and making the same free from attachment, execution or sale for debt," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended to read as follows:

AN ACT to provide for voting on constitutional amendment at the general election to be held in November, 1898, relating to exemption from taxation of homesteads, and making the same free from execution or sale for debt.

Be it enacted by the Legislature of the State of Washington:

That at the general election to be held in November, 1898, there shall be submitted to the qualified electors of the State of Washington, for their approval or rejection, the following amendment to the constitution of the State of Washington, article 19 of said constitution, so as to read as follows:

ARTICLE XIX.

SECTION 1. Real estate or land and all improvements, to the value of two thousand five hundred dollars (\$2,500) held, used and occupied in good faith as a homestead by any family, the head of which shall be a citizen of the State of Washington, is hereby exempted from all taxation, execution or sale for debt.

SEC. 2. The right of every family described in section 1 of this article to the exclusive possession of a homestead, held, used and occupied as described in said section 1, and valued at a sum not exceeding two thousand five hundred dollars (\$2,500), shall not be abridged or denied by reason of any contract, agreement, mortgage or other instrument or promise whatsoever.

The secretary of state shall cause the foregoing amendment to be published for three months next preceding said election to be held in November, 1898, in some weekly newspaper in every county in this state wherein a newspaper is published.

SEC. 3. There shall be printed on all of the ballots supplied for said election the words: "For proposed amendment exempting homesteads from taxation, execution or sale for debt;" "Against proposed amendment exempting homesteads from taxation, execution or sale for debt."

Respectfully submitted.

We concur in this report:

THOS. J. MILLER, Chairman.

E. W. TAYLOR.

DAVID MILLER.

J. W. RANGE.

W. H. PLUMMER.

The report was adopted; and, on motion of Senator David Miller, the amended bill was ordered printed.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bills Nos. 87 and 106; also, Senate memorial No. 2, have compared and examined the engrossed copies thereof, and we respectfully report the same back to the Senate, with the recommendation that the same have been correctly engrossed.

Respectfully submitted.

We concur in this report:

J. G. MEGLER, Chairman.

J. W. RANGE.

J. A. COLE.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 24, entitled, "An act relating to negligence," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Strike out all of section 3 of the printed bill; strike out all of section 4; in section 5 of the printed bill, strike out lines 1 and 2, down to the word "the;" insert before said word "the" the words "Section 3;" strike out all of section 6; and that as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Dorr, Houghton and Plummer.

We do not concur in this report: Senators Washburn, Wilson and Lewis.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 132, entitled "An act to fix the salary of the reporter of the supreme

court, providing for the payment thereof, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Wilson, Lewis, Dorr, Taylor, Houghton, and Plummer.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 53, entitled "An act fixing the place of residence of the attorney general," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Wilson, Plummer, and Houghton.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 77, entitled "An act making provisions for the incorporation of cemetery associations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: That the title of said bill be amended to read as follows: "An act relating to the incorporation and regulation of cemetery associations;" in section 9, line 8, of the original bill, insert the word "upon" after the word "shall;" strike out all of section 10; and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Wilson, Taylor, Dorr, Houghton, and Plummer.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 19, entitled "An act to protect manufacturers, bottlers and other dealers in ale, porters, lager beer, soda, mineral waters and other beverages, from the loss of their casks, barrels, kegs, bottles and boxes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 3 of the printed bill strike out all after the word "act,"

in line 9; strike out all of sections 4 and 5; and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Lewis, Dorr, Plummer, and Wilson.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 130, entitled "An act to facilitate the execution, transfer and assignment of real estate mortgage securities," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Wilson, Lewis, Dorr, Plummer, Washburn, and Houghton.

The report was adopted.

SENATE CHAMBER,

OLYMPIA WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 40, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuing, service and return of process issued by justices of the peace, and to provide for the service and return of summons and notice and complaint issued by justices of the peace by persons other than sheriffs and constables,"' " have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Wilson, Lewis, Dorr, Plummer, Washburn, and Houghton.

Senator Range moved to lay the report on the table.

The motion was lost.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 17, entitled "An act to amend an act entitled 'An act to amend section 6, of an act entitled "An act to prescribe the duties and fix the compensation of the reporter of the supreme court," approved

December 20, 1889, and declaring an emergency,' approved February 26, 1891, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In line 5 of section 1 of the printed bill, strike out the words "eighteen hundred (\$1800)," amended to read "fifteen hundred" in the enrolled bill, and insert in lieu thereof the words "two thousand;" that section 2 be amended to read as follows: "An emergency exists and this act shall take effect immediately," and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Wilson, Houghton, and Plummer.

On motion of Senator Lesh, the report was amended by striking out section 2, and the report, as amended, adopted.

REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 93, entitled "An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows:

1. Section 1, lines 2 and 3 (printed bill), strike the words "sorghum or other sugar yielding canes or plants."

2. Section 2, line 2, strike the word "that;" in same line strike "as much as \$5," and insert "not less than four dollars;" line 8 strike the word "be [y]" and insert "by;" line 9 add "s" to "inspector."

3. Add to section 3 the following: "*Provided*, That no greater sum than fifty thousand dollars shall be paid out of the state treasury as a bounty in any one year."

4. Strike out section 4.

5. Section 5, line 3, strike "form" and insert "firm;" line 4, strike "five" and insert "three."

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

Not concurring:

AUGUSTUS HIGH.

On motion of Senator Houghton, the above Senate bill, No. 93, was made a special order for Monday, February 15, 1897, at 3 o'clock P. M.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate memorial No. 1, entitled "An act relative to matter on public lands," have compared and examined the engrossed copy thereof, and we respectfully report to the Senate that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

REPORTS OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate memorial No. 4, to the congress of the United States, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

AUGUSTUS HIGH.

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 124, entitled "An act to amend section 2490 of volume 1 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the restraint of swine running at large," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 127, entitled "An act to amend section one (1), chapter 31, of House bill No. 62 of the Session Laws of the State of Washington for 1893, entitled 'An act for the detention of domestic animals doing damages, and

giving a lien for damages upon such animals," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, when amended as follows:

Strike from the title, "of House bill No. 62." In section 1, line 1, printed bill, strike "(1) of an act," and insert "of chapter thirty-one of the Session Laws of 1893." In section 1, strike "or," in line 4, printed bill, before "cattle," and insert "goats, sheep" after "cattle."

Respectfully submitted.

We concur in this report:

OLIVER HALL, Chairman.

AUGUSTUS HIGH.

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 160, entitled "An act relating to actions for the foreclosure of existing mortgages of real estate, and for the recovery of the debt secured by such mortgages on real estate, relating to sales in such cases, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Committee on Judiciary.

Respectfully submitted.

We concur in this report:

OLIVER HALL, Chairman.

AUGUSTUS HIGH.

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 97, entitled "An act in relation to, and to prevent, the introduction or spread of disease among sheep, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows:

1. Sec. 6, line 3, of printed bill, insert after the word "county," "from localities in any other state or territory."

2. Sec. 18, strike out all after "Sec. 18," and insert "An emergency exists, and this act shall take effect immediately."

Respectfully submitted.

We concur in this report:

OLIVER HALL, Chairman.

AUGUSTUS HIGH.

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

The report was adopted.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 246, by Mr. Forbes, An act relating to fixing maximum rates of wharfage that may be charged, prescribing penalties, and regulating travel over docks and wharves in the State of Washington.

Also, joint memorial No. 11, by Mr. F. R. Baker, entitled "A memorial asking that the restrictions on the Puyallup Indians, relating to the sale of their lands, be removed."

Also, House bill No. 51, by Mr. Witt, entitled "An act regulating the sale of jute fabrics and brick at the state penitentiary."

Also, House bill No. 240, by Mr. Scott, An act to amend section 2 of an act entitled "An act to prevent trespasses by sheep upon certain land in this territory, and to punish the owners of such sheep for violations of this act," approved February 2, 1888, the same being section 87 of the Penal Code, of volume 2 of Hill's Annotated Statutes and Codes of Washington, and repealing sections 1, 3 and 4 of said act, and declaring an emergency.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The House has passed House bill No. 137, by Mr. Land, A bill for an act to provide for the registration of voters in all school elections, in school districts having a population of ten thousand or more inhabitants, and regulating elections in such districts.

Also, House bill No. 121, by Mr. Nelson, An act to amend section 1 of an act approved March 2, 1895, entitled "An act relating to nuisances, amending section 2893 of volume 1 of Hill's Annotated Statutes and Codes of Washington."

Also, House bill No. 102, by Mr. Geraghty, An act to regulate the labor of railway employes.

Also, House bill No. 81, by Mr. Land, An act creating a bureau of labor, defining its duties, and appropriating money for its maintenance.

Also, House bill No. 225, by Mr. J. O. Edwards, An act entitled "An act to establish the number of hours to constitute a day's work on all state, county and municipal work."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The House has passed House bill No. 206, by Mr. Struve: An act to amend section 195 of volume 2, Hill's Annotated Statutes and Codes of Washington, the same being section 83 of the Code of Washington of 1881, relating to answers and the contents thereof in civil actions, and declaring an emergency.

Also, House bill No. 234, by Mr. McAtee: An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271 and 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act, and declaring an emergency.

Also, House bill No. 186, by Mr. Way: An act to restore to Eugene Cullity his full legal rights of citizenship.

Also, House bill No. 99, by Mr. Geraghty: To provide for the better protection of railway switches.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The House has passed House bill No. 238, by Mr. Wolf: An act relating to "An act providing that a judgment against a railroad company for injury to person and property, shall be a lien upon the property of the company prior and superior to any mortgage or trust deed executed after the taking effect of this act."

Also, House bill No. 146, by Mr. Johnston: An act entitled "An act fixing the per diem and mileage of witnesses in civil actions."

Also, House bill No. 243, by Mr. Roberts: An act entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington and regulating the manufacture and sale thereof by the state, and making an appropriation therefor."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

On motion of Senator Taylor, the committee appointed to investigate the charges against Senator Taylor, and other senators, was allowed one day more to make its report:

Senator Baum presented the following resolution:

Resolved, That W. R. Conway, heretofore elected engrossing clerk of the Senate, be discharged from further service, and that J. W. McBride be elected engrossing clerk of the Senate to fill the vacancy occasioned by the discharge of said Conway.

Senator Baum moved the adoption of the resolution.

Senator Megler called for a division of the question.

That portion of the resolution relative to the discharge of Mr. Conway was adopted, and the remainder was laid on the table.

INTRODUCTION OF BILLS.

House bill No. 375, by Mr. Struve: An act to amend section 1418 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the adoption of legal heirs.

The bill was read the first time.

Senator Easterday moved that the rules be suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senator Range moved to amend by referring it to the Committee on State Charitable Institutions.

The amendment was carried, and the motion as amended prevailed.

House bill No. 146, by Mr. Johnston: An act fixing the per diem and mileage of witnesses in civil actions.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 238, by Mr. Wolf: An act providing that a judgment against a railroad company for injury to person or property shall be a lien upon the property of the company prior and superior to any mortgage or trust deed executed after the taking effect of this act.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 243, by Mr. Roberts: An act providing for a uniform system of public blanks for use in counties in the State of Washington, and regulating the manufacture and sale thereof by the state, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Printing.

House bill No. 225, by Mr. J. O. Edwards: An act to establish the number of hours to constitute a day's work on all state, county and municipal work.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House bill No. 234, by Mr. McAtee: An act for the protection of game animals and birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264,

265, 266, 267, 271 and 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 81, by Mr. Land: An act creating a bureau of labor, defining its duties, and appropriating money for its maintenance.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House bill No. 121, by Mr. Nelson: An act to amend section 1 of an act approved March 2, 1895, entitled "An act relating to nuisances, amending section 2893 of volume 1 of Hill's Annotated Statutes and Codes of Washington."

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 102, by Mr. Geraghty: An act to regulate the labor of railway employes.

The bill was read the first time; and, on motion of Senator T. J. Miller, as amended by Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House bill No. 99, by Mr. Geraghty: An act for the better protection of railway switches.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 206, by Mr. Struve: An act to amend section 195 of volume 2, Hill's Annotated Statutes and Codes of Washington, the same being section 33 of the Code of Washington of 1881, relating to answers and the contents thereof, in civil actions, and declaring an emergency.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 186, by Mr. Way: An act to restore to Eugene Callity his full legal rights of citizenship.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 137, by Mr. Land: An act to provide for the registration of voters in all school elections, in school districts having a population of ten thousand or more inhabitants, and regulating elections in such districts.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

House bill No. 246, by Mr. Forbes: An act fixing maximum rates of wharfage that may be charged, prescribing penalties, and regulating travel over docks and wharves in the State of Washington.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Commerce.

House bill No. 51, by Mr. Witt: An act regulating the sale of jute fabrics and brick, at the state penitentiary.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

House bill No. 240, by Mr. Scott: An act to amend section 2 of an act entitled "An act to prevent trespasses by sheep upon certain land in this territory, and to punish the owners of such sheep for violations of this act," approved February 2, 1888, the same being section 87 of the Penal Code of volume 2 of Hill's Annotated Statutes and Codes of Washington, and repealing sections 1, 3 and 4 of said act, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 181, by the Committee on Judiciary: An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies in the hands of the treasurer of the state.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 182, by Committee on Judiciary: An act relating to bonds in actions and proceedings.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 183, by Committee on Judiciary: An act in relation to the Legislative Manual.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 184, by Senator Easterday: An act to provide for the incorporation of chambers of commerce, boards of trade, and other kindred associations.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 185, by Senator Taylor: An act to prevent corrupt practices at elections.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

Senate bill No. 186, by Senator Taylor: An act relating to the settlement of community estates and estates held in common, and amending sections 1086, 1089 and 1093, volume 2 of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 187, by Senator Taylor: An act relating to public highways, cycle paths and ways.

The bill was read the first time.

Senator Taylor moved that the rules be suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

The motion was lost.

Senator Dorr moved that the rules be suspended, the bill read

the second time by title, and referred to the Committee on Roads and Bridges.

The motion was carried.

Senator Dorr moved to reconsider the preceding motion.

The motion was carried.

The original motion of Senator Dorr was lost.

On motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House concurrent resolution No. 16, by Mr. Witt: In regard to the appointment of a committee to draft a bill or series of bills to reduce the expenses of the state, by abolishing certain commissions and boards for the control of state institutions.

Senator T. J. Miller moved to adopt the resolution.

Senator Dorr moved to amend by indefinitely postponing it.

The amendment was carried, and the motion, as amended, prevailed.

House memorial No. 11, by Mr. F. R. Baker: A memorial asking that the restrictions on the Puyallup Indians, relating to the sale of their lands, be removed.

The memorial was read the first time; and, on motion of Senator Wilson, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

Senator Paul presented a petition, signed by J. M. Cox and 263 other citizens of Kittitas county, praying that the sum of \$3,000 be appropriated to build a wagon road in order that the Cle-Elum mining district may be made accessible.

On motion of Senator Wilson, the petition was referred to the Committee on Appropriations.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON DYKES, DRAINS AND DRAINAGE.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred House bill No. 117, entitled "An act amending section 4 of an act approved March 18, 1895, relating to the organization and incorporation of companies for the driving, sorting, holding and delivering of logs and other timber products," have had the same under consideration, and

we respectfully report the same back to the Senate, with the recommendation that it be amended on page 2 of the engrossed bill (being line 12 of the printed bill as amended in the House) by inserting after the word "sound" the words "or its tributaries, north of 47° 40' north latitude," and that as so amended the bill do pass.

Respectfully submitted.

F. C. HARPER, Chairman.

We concur in this report:

JOHN McREAVY.

S. D. REINHART.

The report was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 8, entitled "An act prohibiting advertisements soliciting business in matters of divorce," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

President pro tem. Plummer signed Senate bill No. 8, by Senator Taylor: An act prohibiting advertising in matters of divorce.

On motion of Senator Davis, House bill No. 117, as amended, was ordered printed.

On motion of Senator Deckebach, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President pro tem. Plummer called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Harper, Pusey and Warburton, who were excused.

Senator Wilson moved that the Senate go into executive session to consider the appointments of Governor McGraw.

The president declared the motion out of order.

House concurrent resolution No. 11: Relating to appointment of committee to secure quarters for state officers.

On motion of Senator T. J. Miller, the resolution was amended

by striking out the words "on or before February 10," and inserting in lieu thereof the words "as soon as practicable."

The resolution, as amended, was adopted.

Senate bill No. 39, by Senator Crow: An act to repeal an act authorizing actions against the state, approved March 20, 1895.

Senator Easterday moved that the bill be indefinitely postponed.

The motion was lost by the following vote: Yeas 15, nays 15, absent or not voting 4.

Those voting yea were: Senators Baum, Deckebach, Dorr, Easterday, Frink, Hall, Houghton, Lewis, Megler, Miller David, Plummer, Range, Taylor, Washburn, and Wilson — 15.

Those voting nay were: Senators Cole, Crow, Davis, Field, Hill, Keith, Lesh, McReavy, Miller T. J., Paul, Reinhart, Runner, Van Patten, Wooding, and Yeend — 15.

Absent or not voting: Senators Harper, High, Pusey, and Warburton — 4.

On motion of Senator Dorr, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It failed to pass by the following vote: Yeas 12, nays 19, absent or not voting 3.

Those voting yea were: Senators Cole, Davis, Field, High, Hill, Keith, Lesh, Miller T. J., Runner, Van Patten, Wooding, and Yeend — 12.

Those voting nay were: Senators Baum, Crow, Deckebach, Dorr, Easterday, Frink, Hall, Houghton, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Range, Reinhart, Taylor, Washburn, and Wilson — 19.

Absent or not voting: Senators Harper, Pusey, and Warburton — 3.

Senator Crow gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 39 failed to pass.

Pursuant to notice given on Monday last, Senator Houghton moved to reconsider the vote by which Senate bill No. 33, by Senator High, "An act providing for a constitutional amendment relating to the reduction of the salary of the secretary of state," was passed.

The motion was carried by the following vote: Yeas 28, nays 2, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, High, Hill, Houghton,

Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Rinehart, Runner, Taylor, Van Patten, Wilson, Wooding, and Yeend — 28.

Those voting nay were: Senators Range and Washburn — 2.

Absent or not voting: Senators Hall, Harper, Pusey, and Warburton — 4.

Senator Dorr moved that the bill be indefinitely postponed.

Senator T. J. Miller moved to amend by inserting an enacting clause.

Senator Deckebach moved to lay the motion on the table.

The motion was lost.

The amendment by Senator Miller was carried.

On motion of Senator Houghton, the bill was laid on the table.

Senate bill No. 159, by the Committee on State Library: An act to authorize and direct the state auditor to procure a publication of the session laws now out of print by purchase and exchange, and to provide for the distribution of the same, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider said Senate bill No. 159.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate without amendment.

Senator Keith moved that the bill be indefinitely postponed.

Senators Keith, Davis and T. J. Miller demanded a call of the Senate.

All of the members responded to their names, except Senatore Harper, Pusey and Warburton, who were excused.

On motion of Senator Lewis, the further call of the Senate was dispensed with.

The motion of Senator Keith was carried by the following vote: Yeas 16, nays 10, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Field, Hill, Keith, Lesh, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Taylor, Van Patten, and Yeend — 16.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Frink, High, Lewis, Range, Washburn, Wilson, and Wooding — 10.

Absent or not voting: Senators Davis, Hall, Harper, Houghton, Megler, Pusey, Runner, and Warburton — 8.

Senate bill No. 108, by Senator Warburton: An act to prevent the unauthorized interference with electric meters, wires and cables used for measuring and conducting electric currents.

On motion of Senator Dorr, the consideration of the bill was deferred until later.

Senate bill No. 66, by Senator High: An act for the relief of O. M. Hidden.

The bill was read the third time by sections.

On motion of Senator Crow, the Senate resolved itself into the committee of the whole to consider said Senate bill No. 66.

The bill was considered in the committee, Senator Crow in the chair, and reported back to the Senate without amendment.

On motion of Senator Wilson, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Harper, Lesh, Pusey, and Warburton — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 151, by Senator Runner: An act relating to railroads.

On motion of Senator Runner, the bill was made a special order for Tuesday, February 16, 1897, at 2 o'clock P. M.

The following resolution was introduced by Senator Megler, for the Committee on Engrossed Bills:

Resolved, That J. W. McBride be employed as engrossing clerk in place of Mr. Conway, removed.

J. G. MEGLER, Chairman.

J. A. COLE.

J. W. RANGE.

The resolution was adopted.

President pro tem. Plummer administered the oath of office to J. W. McBride, as engrossing clerk.

On motion of Senator T. J. Miller, the engrossed bills were taken up, and placed on final passage.

Senate bill No. 56, by Senator T. J. Miller: An act relating to labels, trade marks and advertisements, and to provide for their protection, and the punishment for counterfeiting the same, and for using counterfeits of the same.

The bill was then passed by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Harper, Pusey, and Warburton — 3.

Senate bill No. 87, by Senator Harper: An act to amend section 1, chapter 65 of Session Laws, approved March 9, 1893.

On motion of Senator Taylor, the bill was laid on the table.

Senate bill No. 106, by Senator Cole: An act to provide for the purchase of stationery, desk supplies and furnishings for the state legislature.

The bill was placed on final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Harper, Lesh, Pusey, Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate memorial No. 1, by Senator T. J. Miller: Relative to the the matter of public lands.

The memorial was placed on final passage, and failed to pass by the following vote: Yeas 15, nays 14, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach,

Field, Hill, Keith, McReavy, Megler, Miller David, Paul, Plummer, Reinhart, Van Patten, and Yeend — 15.

Those voting nay were: Senators Baum, Dorr, Easterday, Frink, Hall, High, Houghton, Lewis, Miller T. J., Range, Runner, Taylor, Washburn, and Wilson — 14.

Absent or not voting: Senators Harper, Lesh, Pusey, Warburton, and Wooding — 5.

Senator T. J. Miller gave notice that, at the proper time, he would move to reconsider the vote by which Senate memorial No. 1 failed to pass.

Senate memorial No. 2, by Senator T. J. Miller: Relative to wagon roads.

The memorial was placed on final passage, and passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Van Patten, Washburn, Wilson, and Yeend — 27.

Senator Paul voted nay.

Absent or not voting: Senators Harper, Lesh, Pusey, Taylor, Warburton, and Wooding — 6.

Senator Crow was called into the chair.

On motion of Senator Plummer, Senate bill No. 46, by Senator Plummer, An act for the relief of Thomas E. Delaney, was taken from the table.

On motion of Senator Plummer, the Senate resolved itself into the committee of the whole to consider said Senate bill No. 46.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate with the following amendment: Strike out the preamble.

Senator Taylor moved that the bill be indefinitely postponed.

The motion was carried by the following vote: Yeas 17, nays 13, absent or not voting 4.

Those voting yea were: Senators Cole, Crow, Easterday, Hill, Keith, Lesh, Lewis, McReavy, Miller David, Miller T. J., Range, Reinhart, Runner, Taylor, Van Patten, Wooding, and Yeend — 17.

Those voting nay were: Senators Baum, Davis, Deckebach, Dorr, Frink, Hall, High, Houghton, Megler, Paul, Plummer, Washburn, and Wilson — 13.

Absent or not voting: Senators Field, Harper, Pusey, and Warburton — 4.

On motion, the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 11, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Warburton, who was excused.

Senator Taylor moved that the reading of the journal of yesterday be dispensed with, and the journal approved.

The motion was lost.

The journal was read and approved.

Senator Range gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 46, An act for the relief of Thomas Delaney, failed to pass.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The House has laid on the table Senate concurrent resolution No. 9, by Senator High, Relative to sergeant-at-arms procuring session laws, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 244, by Mr. Parker, An act establishing legal rate of interest, and to prevent usury, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 85, by Senator Yeend: An act entitled "An act to amend section 18 of an act entitled 'An act to define, regulate and govern the state penitentiary,' and declaring an emergency."

The House has refused to concur in the Senate amendment to House bill No. 32, by Mr. Land, and the same are herewith returned to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 118, by Judiciary Committee: An act entitled "An act amending section 4 of an act entitled 'An act in relation to attorneys and counselors at law.'"

Also, Senate bill No. 119, by Judiciary Committee: An act entitled "An act to amend section 18 of an act entitled 'An act to define, regulate and govern the state penitentiary,' and declaring an emergency."

Also, Senate bill No. 120, by Judiciary Committee: An act entitled "An act to amend 3289 of the Code of 1881, relating to the removal and suspension of attorneys."

And the same are herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 121, by Judiciary Committee: An act entitled "An act to amend section 1 of an act entitled 'An act relating to new trials, and amending section 282 of the Code of 1881,' approved February 26, 1881, relating to new trials."

Also, Senate bill No. 54, by Senator Houghton: An act entitled "An act to appropriate two thousand five hundred dollars, or so much thereof as may be necessary, to repair the damages caused by boiler explosion at the Eastern Washington hospital for the insane."

And the same are herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 28, entitled "An act for the protection and welfare of children," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely

postponed, for the reason that its purpose is contained in Senate bill No. 52.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

Senator Wilson moved to adopt the report.

Senator Taylor moved to amend by laying it on the table.

The amendment was carried, and the motion, as amended, prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 107, entitled "An act to prohibit capital punishment in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Committee on Judiciary.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 52, entitled "An act to confer certain powers upon certain benevolent or charitable institutions or corporations incorporated under the laws of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 58, entitled "An act relating to the sale and disposal of intoxicating liquors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

Senator Plummer moved to adopt the report.

Senator Range moved to amend by placing it on general file.

Senator Cole moved to amend the amendment by laying it on the table.

The amendment to the amendment was carried, and the motion, as amended, prevailed.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the following bills: W. H. Tucker, secretary's desk and towels, \$4.25; H. Sabin, locks and labor, \$4.85; B. F. Littlejohn, drayage, \$1; Chung Lee, laundry bill, \$1.50, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

The report was adopted.

MAJORITY AND MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 69, entitled "An act for the relief of the widow of H. C. Ashenfelter," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out the word "seven," in lines 2 and 4 of section 1 of the printed bill, and inserting in lieu thereof the word "five," and that, as amended, the bill do pass.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

After a careful consideration of this claim and of the testimony offered in support of the same, I am unable to find the same to be a valid claim against the state, and therefore recommend that it be indefinitely postponed.

R. C. WILSON.

Senator Range moved to adopt the report.

Senator Taylor moved to amend by referring the bill to the Judiciary Committee.

The amendment was carried, and the motion, as amended, prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of J. Benson Starr, for stationery and sundry supplies, amounting to \$386.63, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

R. C. WILSON.

The report was adopted.

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 146, entitled "An act to amend section 227 of volume 2 of Penal Code of Hill's Annotated Statutes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows: Section 2, line 1, strike "is hereby declared to," and add "s" to "exist."

Respectfully submitted.

S. D. REINHART, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOHN McREAVY.

The report was adopted.

President pro tem. Plummer was called into the chair.

The committee appointed to investigate the charges against Senator Taylor and other senators submitted the following report:

REPORT OF SPECIAL INVESTIGATING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

To the Honorable President and Members of the Senate of the State of Washington:

Your special committee, appointed to investigate grave charges of corruption made against certain members of this honorable body, growing out of the late election of United States senator, beg leave to present this, its first partial report, in response to the order of the Senate, made on the ninth day of February, 1897.

This committee was appointed by and has acted under the following resolution:

"The following resolution was introduced by Senator E. W. Taylor:

"WHEREAS, There are grave charges of corruption against Senator E. W. Taylor, in the matter of the election of United States senator: therefore, be it

"Resolved, That a committee of three, consisting of Senators Dorr, Wilson and Washburn, be appointed a committee to examine into the said charges, and report thereon.

"Amended by Senator High: That the committee investigate the charges of all the other names mentioned in connection with Senator Taylor.

"Amendment carried, and motion prevailed.

"The following resolution was introduced by Senator Wilson:

"Resolved, That the committee appointed this day to examine into charges against Senator Taylor and other members of this body, is hereby authorized to send for persons and papers.

"The resolution was adopted."

Immediately after the appointment of the committee, we organized; and, upon the request of certain of the senators involved, we subpoenaed the witnesses named, to wit: Hon. Watson C. Squire and Hon. A. D. Warner.

The committee examined Mr. Warner upon the matters involved; said examination being held in public session, in the Senate chamber, and the parties all being present. The testimony was taken in shorthand, which has since been transcribed, and the same is herewith submitted. At such examination the accused senators were given an opportunity to appear in person, and to be represented by counsel, but severally declined the offer of counsel, and assured your committee of their entire confidence in the ability of the committee to impartially conduct the investigation, which they insisted should be full, complete and thorough, and embrace any and all charges brought against them or other members of this honorable body.

Subsequent to the service of the subpoena upon him in Seattle, the following telegrams passed between Senator Squire and your committee:

SEATTLE, WASH, February 5, 1897.

Hon. C. W. Dorr, Chairman:

I beg to be excused from attending meeting of the committee to-morrow on account of very important legal business here. I will endeavor to appear later. Answer.

W. C. SQUIRE.

OLYMPIA, WASH., February 5, 1897.

Hon. W. C. Squire, Seattle, Wash.:

Your presence required to-morrow. You can probably return to-morrow evening.

C. W. DORR, Chairman.

SEATTLE, WASH., February 6, 1897.

Hon. C. W. Dorr, Chairman, Olympia, Wash.:

Your dispatch received. I have come down here en route returning to United States Senate, but am delayed here to consult with government officers regarding bills pending in congress. If I can, consistently, I will return to Olympia Monday, but feel I ought not to be longer delayed. I have been very much delayed by going to Olympia twice this week, each time at request of House committee. I know of nothing that I can add to my sworn statements already made. In nothing that I have said relative to the Warner list have I implicated or intended to implicate any of the senators or representatives named on the list. I simply wrote the names at the dictation of Warner upon his suggestion that these men would probably unite to prevent a deadlock, and I produced the list only on the demand of the House committee. So far as charges may be concerned growing out of this list, I do not see that any man can be affected by it, excepting Warner, as he, alone, is responsible for it. I desire to treat every legislative committee with courtesy, and will, if I can, be on hand Monday. WATSON C. SQUIRE, United States Senator.

SEATTLE, WASH., February 8, 1897.

Hon. C. W. Dorr:

Business with government officers here prevents my going to-day. Will try to go to-morrow, if desired. WATSON C. SQUIRE.

OLYMPIA, WASH., February 8, 1897.

Hon. Watson C. Squire, Seattle:

Can you come to-morrow? If not, answer when it will be convenient.

C. W. DORR.

While your committee fully appreciate the importance of the testimony of Senator Squire, especially as his presence has been imperatively demanded and insisted upon by some of the Senators charged, yet we have not, up to this time, been able to secure his presence, except by compulsory process, which we have not felt justified in enforcing, in view of the importance of his position and the official work in which he is now engaged as United States senator from the State of Washington; and in view of the further fact that we have official knowledge that the senator has already visited Olympia on two occasions for the purpose of submitting himself to examination by a special investigating committee appointed by the House of Representatives. Your committee, however, believes that the testimony of this witness will be secured in the near future.

It has not been deemed best by your committee to pursue the proposed and necessary investigation along other lines, which your committee have in view, until the testimony of Senator Squire has been taken. Your committee have felt impelled under the authority by which it was appointed, and the earnest solicitation of the persons charged, to make an investigation both thorough and searching, not only in justice to those charged, but in vindication of the good name of this honorable body, of which they are members.

It has become very evident to the committee that the Senate is in duty bound to purge itself of the numerous scandals, rumors and charges of corruption which have been made during the present session; and while the duty is one from which we would gladly be relieved, we feel that there are good and sufficient reasons for continuing the investigation until such time as we can fully exonerate every member of this honorable Senate, or show good and substantial grounds for severely dealing with those who have been recreant to their official and moral duties, if any such there may be.

A vast amount of testimony has been taken by a committee from another branch of this legislature, which, while perhaps we have no official notice of, we are at least bound to take into consideration. The attention of your committee has been directed to this testimony by the report spread upon the records of the House of Representatives; and we would suggest that if your committee is to be continued, that a concurrent resolution be passed which would permit this committee to have access to the evidence taken by the House committee. We are further advised that said House committee has been discharged by the House, before the completion of its contemplated labors, with many witnesses uncalled, much testimony untaken, and numerous charges uninvestigated. While these charges have, perhaps, not directly affected the honorable senators coming within the purview of the resolution under which your committee is acting, we think it is not inadvisable to probe these scandalous matters to the core, in order that the reputation of the fifth legislature of the

State of Washington, as a whole, and every member thereof, may be justly estimated and judged by the people.

Many matters have been laid before your committee, to which we have been unable to give our attention, because of the absence of important witnesses, and delay in mail correspondence; but which are of vital importance, and should not be allowed to remain unconsidered.

While it is gratifying to report that so far as this investigation has proceeded no charge of corruption, or other action involving moral turpitude, has been sustained against any member of this honorable Senate, and while the duties imposed upon this committee are extremely disagreeable, and are of such a character as every member would gladly be relieved from, yet, in view of the importance of the matter involved, the gravity of the charges made, and the necessity of sustaining the dignity and integrity of this honorable body, we feel that we cannot conscientiously ask to be relieved from this duty.

We believe that this or some other committee should be allowed more time to pursue this investigation to a satisfactory end, and so recommend.

Respectfully submitted.

C. W. DORR, Chairman.

R. C. WILSON.

R. C. WASHBURN.

SENATE CHAMBER,

OLYMPIA, WASH., February 6, 1897.

Senators Dorr, Wilson and Washburn, acting as a committee on investigation, under the Senate resolution, a copy of which is hereinafter set forth, met at the Senate chamber for the purpose of entering upon the discharge of such duties, at the hour of 2:40 P. M., February 6, 1897, and the following proceedings were had:

The committee had previously selected Ernest C. MacDonald to act as their stenographer, to report the proceedings.

At the request of the chairman, Senator Dorr, the resolution appointing the committee was read by Senator Wilson, as follows:

"The following resolution was introduced by Senator E. W. Taylor:

"WHEREAS, There are grave charges of corruption against Senator E. W. Taylor in the matter of election of United States senator: therefore, be it

"Resolved, That a committee of three, consisting of Senators Dorr, Wilson and Washburn, be appointed a committee to examine into the said charges, and report thereon.

"Amended by Senator High: That the committee investigate the charges of all other names mentioned in connection with Senator Taylor.

"Amendment carried, and motion prevailed.

"The following resolution was introduced by Senator Wilson:

"Resolved, That the committee appointed this day to examine into charges against Senator Taylor and other members of this body is hereby authorized to send for persons and papers.

"The resolution was adopted."

By SENATOR DORR: We desire Senator Taylor to state what charges you desire investigated.

By SENATOR TAYLOR: I haven't a copy of the Post-Intelligencer, and didn't have one. What I want investigated is the entire subject matter of the election of United States senator since I have been a member of

this legislature, up to the present time; and especially this session; if I had anything to do with this matter wrong or corrupt I want to know it. The field is open, and I am ready for everything.

By SENATOR DORR: The committee would also like to inquire of Senators High, Miller and Yeend as to the charges they desire investigated.

By SENATOR COLE: I will say that so far as I am concerned, I am perfectly willing to have everything so far as this senatorial contest is concerned, where I am accused of wrongdoing, investigated to the fullest extent.

By SENATOR HIGH: I hand you herewith a paper which will cover everything.

By SENATOR DORR: Senator Wilson, as you are acting as secretary of the committee, will you kindly read this paper?

The paper was read, and is as follows:

"I never spoke a word to Senator Squire about the senatorial question; never spoke one word to Representative Warner on the subject before Senator Turner's election; never heard of there being a number of members clubbed together for any purpose, until the investigation began; was never offered either money, position or anything else, to vote for any candidate, by either man or woman; was pledged to no candidate; voted twenty-four times for a populist; went into the populist caucus at temperance hall, as per call as follows: 'There will be a caucus of all those who did not vote for Judge Turner at 4:30 this afternoon, at Good Templars' hall, Fourth street. Please attend. Signed: Day, Pierson, Witt, and thirty others.' There was in said caucus Judge Winsor, Senator Squire and Vice President Daniels. Speaker Cline was elected chairman. After about one hour's discussion I made a motion, which prevailed, that we place in nomination all the candidates and take a ballot; that we should drop all candidates, except the three highest, and drop the lowest candidate each ballot, and stay by the last one to the end. The ballot was taken, but owing to the confusion occasioned by numbers suggesting another method, they never succeeded in counting the ballot already taken. Judge Winsor stated he did not wish his name mentioned in the fusion caucus.

"I was from the beginning to the end against a deadlock. When I became convinced it was impossible to elect a populist, I voted in caucus the first time for Governor Rogers, but as that was the only vote he received, I voted on the next ballot for Judge Turner, and stood by the decision of the caucus."

By SENATOR DORR: The statement just read appears to be a statement of your case, rather than an answer to the question. The committee understand that you desire the same scope in the investigation as indicated by Senator Taylor?

By SENATOR HIGH: Yes, sir.

By SENATOR DORR: And, Senator Miller, how is it with you? A. I noticed a statement in the Post-Intelligencer purporting to be a statement made by Senator Squire, saying that a statement had been made to him and a list of names given to him, and that statement in the Post-Intelligencer stated it was a list of the corruptibles. I want to know by what authority he included by name in that list. That is all I care to have investigated.

By SENATOR HIGH: It is not my desire or wish to go into everything that has been rehashed on the streets. All that I care is that Mr. Warner or Senator Squire state publicly what there was that they should place my name on that list, if there was a list.

By SENATOR TAYLOR: I want full scope as to me. I do not care what the House of Representatives is doing. What I am interested in is as to me.

By SENATOR DORR: I will state, gentlemen, that in view of the call, of the resolution, which states that "Whereas, there are grave charges of corruption against Senator Taylor," which was amended to include others, the committee were not informed as to the nature of the charges that they might be called on to investigate, and for that reason deemed it best to ask you these questions. We are asking so as to conform to your wishes, this being your resolution.

By SENATOR HIGH: I thought the resolution referred to an article in the Post-Intelligencer.

By SENATOR YEEND: I wish to ask for an investigation of any responsibility, or anything which reflects on my honor as a man and a member of this Senate, in regard to the senatorial election.

By SENATOR DORR: Are there any other Senators involved in this matter who desire an investigation?

The committee desire to state that on yesterday we were requested to issue subpoenas for Representative Warner and United States Senator Squire. A subpoena was sent to Seattle and served upon the Senator and I will ask Senator Wilson, who is acting as secretary of the committee, to read the telegrams that have passed between this committee and Senator Squire on that subject.

By SENATOR WILSON: Telegram dated yesterday and received last night:

Hon. C. W. Dorr, Chairman:

I beg to be excused from attending meeting of the committee to-morrow on account of very important legal business here. I will endeavor to appear later. Answer.

W. C. SQUIRE.

Senator Dorr's answer was as follows:

OLYMPIA, February 5, 1897.

Hon. W. C. Squire, Seattle, Wash.:

Your presence required tomorrow. You can probably return to-morrow evening.

C. W. DORR, Chairman.

To which Senator Squire replied as follows:

SEATTLE, WASH., February 6, 1897.

Hon. C. W. Dorr, Chairman, Olympia, Wash.:

Your dispatch received. I have come down here en route returning to U. S. senate, but am delayed here to consult with government officers regarding bills pending in congress. If I can consistently I will return to Olympia Monday, but feel I ought not to be longer delayed. I have been very much delayed by going to Olympia twice this week, each time at the request of the House committee. I know of nothing that I can add to my sworn statements already made. In nothing that I have said relative to the Warner list have I implicated or intended to implicate any of the senators or representatives named on the list. I simply wrote the names at the dictation of Warner, upon his suggestion that those men would probably unite to prevent a deadlock, and I produced the list only on the demand of the House committee. So far as charges may be concerned growing out of this list, I do not see that any man can be affected by it, excepting Warner, as he alone is responsible for it. I desire to treat every legislative committee with courtesy, and will, if I can, be on hand Monday.

WATSON C. SQUIRE, United States Senator.

By SENATOR TAYLOR: So far as the statement is concerned about the deadlock, I plead guilty. I would not go into any combination that

would lead to a deadlock. If that is the crime I am charged with, I am guilty.

By SENATOR DORR: I will ask Senator Taylor if he has, or will procure for the committee, a copy of the article in the Post-Intelligencer, referred to, that may be made part of this record. The article referred to is, I suppose, that contained in the Post-Intelligencer of February 5, 1897, entitled "A Big 'Jack Pot.'"

[NOTE BY REPORTER. — The article referred to appeared on the first page of the Seattle Post-Intelligencer of February 5, 1897, and is as follows]:

A BIG "JACK POT."

LE ROI SYNDICATE FIGURES IN ELECTION — COL. RIDPATH FINANCIER — TOBIASSEN DECLARES HE WAS TWICE APPROACHED — FRITZ ACTED AS THE CAPPER — SENATOR SQUIRE FURNISHES WARNER'S LIST OF CORRUPTIBLES.

INVESTIGATING COMMITTEE AT OLYMPIA SLOWLY UNEARTHING THE STORY — TOBIASSEN FACES UNFLINCHINGLY THE MEN WHOM HE ACCUSES, AND DOES NOT WAVER ON CROSS-EXAMINATION — FRITZ AND RIDPATH BOTH DENY THE STORY — WARNER SAID TO HAVE THREATENED, IN CASE HE HIMSELF WERE ACCUSED, TO DRAG DR. CALHOUN IN THE MIRE.

OLYMPIA, Feb. 4. — (Special.) — The hearing before the senatorial boodle investigating committee to-night was full of sensations. Representative TobiasSEN swore that Col. Ridpath, Turner's financial manager, offered first to pay his campaign expenses if he would vote for Turner. On his refusal, a second offer, this time of \$200, was made. It was refused. TobiasSEN, who was a middle-of-the-roader from start to finish, swore that Ridpath and Fritz, Turner's friends in the Le Roi mine, formed a "jack pot," to which Ridpath had contributed \$3,000 to aid in Turner's election. The whole transaction is alleged to have occurred in Turner's headquarters in the Olympia hotel.

Although both Fritz and Ridpath sat face to face with TobiasSEN when he told his story, he was not the least bit phased, and a severe cross-examination by Frank Graves, Turner's counsel, did not break the force of his testimony.

The fact that Fritz and Ridpath both swore he perjured himself did not disturb TobiasSEN, who stuck to his story, and swore it was true in every particular.

Representative Fritz added another sensation when he swore that W. E. Hagan had offered him \$3,000 to vote and work for Squire.

Senator Squire appeared for re-direct examination, denying in every important particular Warner's evidence in which the Senator was charged as the guilty party.

TOBIASSEN AND THE "JACK POT."

Direct and specific charges of corrupt solicitation were made to-night by Representative TobiasSEN against Col. Ridpath, one of the managers of the campaign of George Turner, senator-elect. Ridpath occupied a confidential position in the Turner camp during the campaign, and was generally credited with being the man who had charge of the financial end of the concern. Representative TobiasSEN told his story in a straightforward way that entitled him to consideration and belief. His story was as follows:

"Wednesday night, January 27, Representative Fritz, a Turner man, asked me to come into the Turner headquarters and meet some of his friends. After Fritz had bought a drink and set up the cigars we went in.

"There he introduced me to Col. Ridpath. We talked awhile, and then Col. Ridpath asked me to vote for George Turner. I said that I was in favor of the election of a straight-out populist. After more talk Ridpath said that some friends of Judge Turner, among them himself, has made up a 'jack pot,' as he called it, to use in Turner's interest. He said that if I would vote for Turner he would pay my campaign expenses and also my expenses at the capital. I said that I could not accept such a proposition.

"After more talk along this line, in which Ridpath urged me to vote for Turner, I left

to attend a committee meeting. Ridpath asked me to return, but I said I guessed I would not come back, and that if I did not he should conclude that I did not want to deal with him. The next night I met Fritz, and he took me by the arm and led me into the Turner private rooms. Here the offer of the previous night was made again.

"I don't know any of you men, I said. Col. Ridpath said he was financially responsible, and Fritz said that Ridpath's word was good for \$10,000, and that he had signed the state treasurer's bond for \$25,000. They wanted me to vote for Turner the next night in the caucus, and stay by him on the following day. I said that there was nothing in it for me, meaning politically. Ridpath said that there was \$200 in it for me, and offered to show me the money. I refused to accept, and then Ridpath said, you go ahead, and if you vote for Turner to-morrow, I will take care of you."

Cross examination by Frank Graves did not shake Tobiassen's story in any particular. Graves tried to get him to admit that he was playing detective. Tobiassen said he would have entrapped Ridpath and Fritz if he could have done so. He wanted to find out what they were doing, but had no thought of accepting their proposition.

FRITZ VISITED BY WINSTON.

The testimony of Representative Fritz was of a most sensational character. He directly contradicted the story told by Representative Tobiassen. He said that he had known Tobiassen for two or three weeks, since the opening of the legislature. At Tobiassen's request he took him into Turner's headquarters for the purpose of introducing him to Col. Ridpath. They discussed the senatorial situation, and it was suggested to Tobiassen that he had better drop Winsor, Cline and the other populists, and vote for Turner; that on the following evening the witness and Tobiassen again visited the Turner rooms and again talked to Col. Ridpath. People were passing in and out of the room on both these occasions, but he avowed that not a word was uttered about paying Tobiassen \$200, or any other sum, to induce him to vote for Turner.

On cross-examination startling testimony was developed. Judge Winsor began to question the witness as to a visit made by Patrick Henry Winston to him at Everett. Mr. Fritz acknowledged that Winston had been to see him, and said that Squire's manager, C. H. Hagan, had visited him several times at Everett just before election. During these visits Hagan importuned witness to support Squire for senator.

"On one occasion," he said, "Hagan made me an offer of \$3,000 to vote for and support Squire. The offer was a contingent one. One thousand dollars was to be paid down, and the other \$2,000 to be deposited in a bank and paid to me as soon as Squire was elected. I refused the offer and told him I was for Turner."

"In what bank was this money to be deposited?" witness was asked.

"I do not know, but he said that it would be placed where I would be sure to get it," replied the witness. "I was for Turner from the first, and \$10,000 would not have induced me to vote for Squire."

"Afterwards I visited Seattle and remained for a few days at the Hotel Northern," continued the witness. "I had some talk with Hagan there. Again he importuned me to support Squire. He wished to appear to be a good fellow, and he offered to pay my expenses and to give me some spending money. I told him that I did not need his money; that I had enough, and that if I got broke before I left town I might borrow \$5 from him."

"This was not the first time that I was approached by Squire's workers," said the witness. "Before the election a man named Bunce, who is one of Squire's workers, came to Everett, and said to me that he was working in the interests of Squire, and that he would pay my election expenses, provided I would support Squire for senator. I was for Turner then, and I did not wish to show my hand, as I feared that the A. P. A. lodge in Everett might fight me, and so I dissembled a little. I told him to give my compliments to Senator Squire, and to thank him for his offer, and at the same time to assure him that I was fully able to pay my own election expenses; that otherwise I would have accepted the offer."

Witness most emphatically denied that he had ever received, or expected to receive, any compensation, directly or indirectly, for supporting Judge Turner for senator.

Col. Ridpath was the next witness. He corroborated Representative Fritz' testimony as to the interviews with Representative Tobiassen, and most emphatically denied that there was any proposition made to pay Tobiassen \$200 for his vote. Witness emphatically denied that the owners of the Le Roi mine had made up a "jack pot" with which to elect Turner senator.

SQUIRE ANSWERS WARNER.

Senator Squire went carefully over a transcript of the evidence given by Representative Warner, in which the senator is charged with having attempted to bribe Warner. He said that he had met Warner many times in the lobby of the hotel, but socially, only. He never asked Warner to come to his room for a conference. The senator swore that Warner never told him that he was not in the race, and could not be elected; he never said the populists should have the senatorship. The senator denied that he ever importuned Warner to come to his room. Squire denied that Warner refused an invitation to go to Doane's with him, saying that he would not be seen there with the senator for \$20,000. The senator swore that Warner made a proposition to meet him. Squire then divulged the conversation had with Warner in his room, in which Warner said that the only way that Squire could be elected was through the plan which he (Warner) suggested, which concerned twenty members who were not committed to any candidate. Warner's testimony regarding the organization of the club, the senator declared was a malicious invention, and false in every particular. The senator denied explicitly that he had said that Cline and Baker would "come to him." Warner's testimony that he (Squire) had said he had to make one last desperate effort, was false. Also, that portion regarding the \$13,000, which Warner swore Squire had said he could raise. The senator denied that he had said anything reflecting on Way's integrity. He denied that Calhoun had said that it would be necessary to buy any one.

"THE LITTLE LIST OF CORRUPTIBLES."

At this stage, after denying all of Warner's charges as false and malicious, Senator Squire produced the now famous list of names of members which he swore he put down as Warner called them off. The list is as follows: Likins, Williams, Merrifield, Kincaid, Koehler, Richmond, Forbes, Hargrave, Bush, Cole, de Mattos, Freeman, High, Mathiot, Dr. Mitchell, David Miller, Pierson, Plummer, Ed. Taylor, Way, Winsor, Warner, Yeend, Conine, Wilkeson.

Opposite the names of Taylor, Way, Winsor, Warner and Plummer, there was a long black mark, which Senator Squire said he had put there at Warner's dictation.

"For what reason?" was asked.

"I could only infer," said the senator, with much meaning in his voice.

The name of Hicks appears on the list, but it is marked out.

Senator Squire said: "Warner called Hicks' name off, but told me afterwards to scratch it off, that 'he had been fixed.'"

W. E. Hagan testified that Warner sought the interview with Senator Squire. He also testified that Warner had threatened that if Dr. Calhoun besmirched his character that he would go clear down the line fighting, and testify that witness had given him \$70, and also he would get Wilkeson and others to testify.

Hagan said he gave Warner \$70 in order to use for expenses in securing the support of Representative Wilkeson for Squire. The money was used in paying fares on a trip to Whatcom, and between Seattle and Everett.

C. H. Hagan corroborated the testimony of Dr. Calhoun as to the alleged offer of Warner to deliver twenty votes for Squire for \$6,000, \$1,000 down, and the other \$5,000 when Squire was elected. Witness said that Pierson had been offered and refused a position worth \$3,000 a year, if he would vote for Turner. In fact it was so common an occurrence to hear of some legislator being offered money, that he did not make a mental note of such offers. It was an every day occurrence.

By SENATOR DORR: Representative Warner was also subpoenaed at the request of Senator Taylor, and he is present. If there is no objection he can be examined now.

By MR. WARNER: I will state that I am here in response to the subpoena, and I am ready to give the committee any information I am possessed of on this subject.

A. D. WARNER was thereupon sworn, in due form, by the chairman, Senator C. W. Dorr, and testified as follows:

By SENATOR DORR: The committee desire to know whether you gentlemen have counsel or desire counsel to represent you?

SENATOR TAYLOR: Does not the statute give me authority to act as my own counsel?

SENATOR DORR: The committee desire some system of decorum in this examination, and for that reason we have determined to conduct the examination ourselves, subject to correction or aid from the senators, unless the gentlemen have some special counsel.

SENATOR TAYLOR: No, sir; we have not.

SENATOR DORR to MR. WARNER: You may state, Mr. Warner, whether you have any knowledge of any matters involving moral turpitude or corruption which affects or relates to either or any of the senators now before this committee in the matter of the election of United States senator?

A. I have no knowledge of any, and never have had any relating to any one of those senators.

Q. Have you read the article in the Post-Intelligencer of the fifth instant, which has been referred to? A. Yes, sir.

Q. What do you know concerning the statements in that paper purporting to come from you regarding a list which is headed "The little list of corruptibles," including the names of these senators? A. I know that Senator Squire furnished that list to the House committee night before last at the examination, and testified that he wrote that list from my dictation, which I charge as absolutely false in every particular, that I ever dictated a name on the list.

Q. Have you any knowledge of the list at all save that which you gained from Senator Squire's testimony? A. I have knowledge of the list gained otherwise than through his list; but that knowledge was obtained from Senator Squire himself prior to the giving of the testimony.

Q. State the facts concerning that list? A. It was on the Sunday night it is charged that I went to his room, that Senator Squire asked me to come to his room, and I went with him to his room. After being there some few minutes sitting at the table he pulled a slip of paper out of his pocket, which was the letterhead of the Olympia Hotel, and on the face of it was written a number of names; part of them that I learned upon investigation of the list itself the other night were written in lead pencil, but some were in ink; they were written in his handwriting; there were some twenty or twenty-five names; I forget the exact number; I think he said at that time twenty-four; and he stated at that time that they were men whom he regarded as men who were not going to allow a deadlock in that house.

Q. Was anything said to you by Senator Squire, or by you to him, in that or any other conversation relative to these men in the way or line of corruption? A. Do you mean these Senators, or all of the names on the list?

Q. The names on the list? A. Senator Squire, prior to taking the list out of his pocket when he went into the room, said, "Warner, what is this twenty men club you have got?" I said "I haven't got any twenty

men club;" he said "you have got twenty or twenty-five of you populists meeting in Wilkeson's and your rooms;" I said "there is no club about that; there is a number of us meeting there, and have been meeting two or three times, talking over the senatorial situation; there is no club or anything of the kind;" and he stated to me that he wanted to get control of the organization; that there was six or seven of the men, I think he said six or seven, who were voting for him and his friends, and he pulled the list out of his pocket which had these names, except the one that he afterwards wrote.

Q. Whose name was that? A. I think it was Williams'; I am satisfied it was Williams' name; there was some talk about Williams, and as I remember it he didn't have his name on the list at first; he wrote one name on it, and I am satisfied it was Williams' name. He said if he had five more in that list with myself he could control that organization, and that would make twenty-four votes; and the thirty-nine populists votes would come to him, and that would be sufficient to elect him. I then stated to him that he could not get control of that organization; that the other five men would not vote for him; and if they did they could not control the others; they were men who could not be controlled or influenced; they were the best of men—the best men in this House. He said he had spent a great deal of money, and he had to make a desperate effort to win this fight; the campaign had cost him a lot of money since the Ellensburg convention—something like fifteen thousand dollars, and he had to win this fight; we had some little talk, and I said it was impossible to get those men; there were not men there that could be bought or anything of that kind; he stated to me that he wanted that organization, and that he would give me one thousand dollars to use for expense money, for oysters at Doane's, for wine and to jolly the boys up with; and if he won he would give me five thousand dollars after he was elected; he could get thirteen thousand dollars contingent that he was elected; he had but three thousand dollars then. I told him it was impossible to get any of those men, and he didn't say he could buy any of those men. Against some of the names was a check mark, and I asked him what it meant; he said those were the men whom he needed to control the organization—we could use the money with. I examined the list and my own name was check-marked as one of the men; he took the list out of his pocket. I think I had in my pocket the twelfth or thirteenth senatorial ballot, and on it I had the names of a number of men—ten of us—who had met that night or the night before in Wilkeson's room. I had the names of ten gentlemen who were there; Senator Cole's and Senator Yeend's name was on that list, and as I read them off the Senator had them on his list, and a whole lot more; the name of these gentlemen here—Senator Miller, Senator High and Senator Taylor—whom I had not on the list, however. I never talked with them in my life about the senatorial situation, and never spoke to the senators in my life before the election; never was introduced to them.

Q. Were either of these senators in that meeting? A. Senator Yeend and Senator Cole were up there once at a meeting; ten of us met one

night for the purpose of talking over the senatorial situation; it looked very much like a deadlock, and the gentlemen didn't want a deadlock in the House.

Q. Was anything said by you to Senator Squire at that or any other conversation tending to indicate to him that either of these men could be controlled for money? A. Do you limit this enquiry to the senators?

Q. Yes, sir. A. Never in the world; never such talk. What I inferred from the senator was that he thought seven—six men and I made the seventh—and five men more would control, the number we had meeting together up stairs, we could control and prevent a deadlock, and that we could get twenty-four votes, and thirty-nine would elect him.

Q. In order to get those five men he offered to give one thousand dollars down, and five thousand dollars after he was elected? A. He did; he said, "I will give you one thousand dollars in cash, and five thousand dollars if I was elected;" he made me no tender.

Q. Did he give you any money? A. No, sir, not a dollar; I said it was impossible; there was no use talking about it; there was no men over there that could be bought. I said, and I think I used the language, that if any one offered those men money he would be thrown out of the window.

Q. Did you refer him to the ten men meeting in Wilkeson's room? A. I was referring to the men on his list.

Q. Including these senators? A. To be fair with the senator he intended in no way to allow me to infer that any of the senators could be bought. He had checkmarks against several individuals; there was five I think; I didn't pay any particular attention to it at the time but simply to know that I was one man against whom there was a mark; I saw I was one of the men he had sized up for a thousand. I will add about this list: I think it was either Senator Squire or Calhoun testified in their examination before the House committee that there were several lists; different lists.

Q. Did he state to you or indicate to you why he had got this list, or how he had made it up, or why they were so grouped together? A. Yes; as I have stated they were men who were voting for himself and other different candidates, who were not tied to Turner or to populist candidates; they were the floating vote, and if aggregated together could control the election.

Q. You say men not voting for Judge Turner? A. No, nor for any populist candidate; they were regarded as being perfectly free. I was voting with the populists right along, and part of the time for Turner; I was not committed to any man; there was no man had strings on me, and I didn't propose they should have. There were six or seven votes voting back and forth for Senator Squire, one day for him and the next day for somebody else; and sometimes one vote for him and the next for some other person.

Q. Did you say to Senator Squire that any man could be influenced? A. No, sir; I said that there was no man on the list that I thought it possible for a man to say money to, and I say that he never said any particu-

lar man could be bought for money, except that he would give me \$5,000 contingent that he was elected; he had those five check marks, which, added to the six or seven he already had, would control the organization.

Q. Do you wish the committee to understand that he was offering you \$5,000 for those five votes? A. Yes, sir.

Q. What five were they? A. I don't remember; I could not state; did not remember at the time, because I simply didn't pay any attention to it; it was a proposition impossible to accomplish, even had I so desired.

Q. Were they checked off? A. There was a mark in front of the name; at one side of the name.

Q. At the bottom of the list or top, or where? A. I don't remember; but now I know; seeing the list last night, I know where they were.

Q. Where were they? A. One on the bottom of the list; that is, the list was written on a sheet—letterhead—down this one side, and on this side, say half a dozen names, making a double column on the letter paper, and one check on the bottom.

Q. Whose name was that? A. I don't remember; there were four check marks here (indicating).

Q. In the second column? A. Yes, sir. That list is on file with the House committee now, and is in his handwriting.

Q. Do you remember any of the names? A. Yes, sir; my own.

Q. Who were the others? A. Senator Plummer, Way and myself, and the other two I would not attempt to state.

Q. What he really did was to offer you five thousand dollars for those five votes? A. He offered—the proposition was, that he had thirteen thousand dollars to get elected United States senator; that he would give me one thousand dollars for expense money, to use at Doane's for oysters and to jolly the boys up, and five thousand dollars if I got control of the organization and threw him that vote.

Q. Was there one of these senator's names on that list of five that was checked? A. I think not; I think not; I don't remember; I would not say; I would not say who the other two names were.

Q. Can you ascertain that matter? A. You can ascertain it from the chairman of the House committee, by an examination of the list. I probably could ascertain it.

Q. You stated that this conversation occurred at a certain meeting that you had testified about before the other committee; when was that meeting? A. I am not absolutely certain; Sunday night, as I so testified; I don't remember the date, but it is generally conceded that it was two weeks from to-morrow; it was the Sunday night before the election of the United States senator.

Q. Was anyone present, when this conversation was carried on, other than yourself and Senator Squire? A. There was nobody present at first; then he got up and went out, and said he would be back in a moment, and instead of coming back, in came Dr. Calhoun. Dr. Calhoun started the same subject, and came and sat down in the rocking chair, and stated that—his words were “Warner, I want you to get into this proposition for the senator; we have got to make a desperate attempt, or desperate

plan, to win this election; if we don't win it the senator is ruined politically; we have got to win it." I said "Doctor, there is no use talking about the senator winning this election; it is not in the books; it is not possible." I said either Turner or Winsor, in my judgment, would be elected senator; and he then began talking about damn traitors, and men who didn't stick by him, and didn't do as they agreed; then he started on another subject; he was rubbing his hands through his hair; said he had a letter from his wife saying she was sick; that it was the first time in thirty years she had taken medicine; drifted on to another subject, and after some little time Mr. Squire came in again; and Senator Squire and he were not long in the room together, if my memory serves me right, and I think it does; there was not ten words said on this subject when we were all there together; but that Dr. Calhoun knew about what Senator Squire's proposition was, there was no doubt.

Q. Mr. Warner, whom did you talk with about this proposition; what one of these members, or any of them? A. About Senator Squire's proposition?

Q. Whom did you consult about it? A. Never talked to a man in my life about it; never did; not until after the expose of Calhoun's article in the paper, when I made a statement; I never spoke to a man about it; I regarded it as a last desperate attempt of a man.

Q. You never consulted with either of these five men? A. Never in my life.

Q. That is, about the proposition of Senator Squire? A. No, sir; I am here to state that I never spoke to any member of the legislature, either any senator or House member, who would ballot for or who would vote for a particular candidate; except I tried to get the democrats together in a caucus to see what they would do on the first vote; I was doing as I pleased, and I let everybody else alone; I never went to anybody's headquarters, and never talked to Dr. Calhoun except this one time when Squire took me there.

Q. How did these ten men want to get together in that organization; what was their object? A. Their object was to meet. I was informed of it I think by, I don't know whether by Likins, Koehler, Richmond or Merrifield; that they had gotten together, some six or eight, I believe, and intended to organize or confer together to prevent a deadlock, and asked me if I was willing to go into such a plan; and I said that was the line I was working on. I wanted to elect a senator, and I said yes. The next night we had a conference in my room; there was eight or ten men there together.

Q. Any statement made by you or either of these men as to how they would prevent a deadlock? A. Never a word, except that if there was a strong man that was satisfactory, and there was a probability of electing him, we would elect him.

Q. Did you agree on that scheme? A. I don't think there was any actual agreement to that at all; that was my understanding, and my view of the matter.

Q. Can you give the committee the names of those ten men? A. I have

testified to that; yes sir I think I can; myself, Mr. Richmoud, Mr. Merrifield, Mr. Likins, Mr. Koehler, Mr. Wilkeson, Mr. Gerry, Senator Yeend, Senator Cole and Senator Plummer; there was one or two others.

Q. Was that all of the names? A. That was all, the most we ever had together at once; there was a number of other gentlemen who had been there at different times; I think there was about fifteen who had been at the meetings at different times.

Q. Give the names of the other five. A. This is to the best of my memory, Senator Cole, Mr. Forbes, Mr. Gerry, Mr. Kincaid, Mr. Koehler, Mr. Likins, Mr. Merrifield, Mr. Pierson I think, Mr. Plummer, Mr. Richmond, myself, Mr. Way, Mr. Wilkeson and Senator Yeend.

Q. Do you remember any others? A. That is all I remember.

Q. How many times did you meet on the senatorial matter? A. I think I met with them three times, once in my room, and once at least in Wilkeson's room; I am not sure but twice in Wilkeson's room; once in my room, and perhaps twice in Wilkeson's.

Q. Did this caucus or association ever agree on any candidate? A. No, sir.

Q. Ever try to? A. No, sir; it was simply for conferring about what the situation had been that day and would be the next.

Q. Never tried to get together on any one man? A. No, sir; I think no one particular candidate was ever suggested.

Q. By any one? A. I don't ever remember.

Q. What was your real object then in being banded together in this way? A. Just as I said; we were endeavoring to understand the situation, and to confer as to who would be the best man to go to at the time when we realized there was a deadlock.

Q. But after three meetings, and the votes being taken every day, you never got far enough to go to any particular man—the votes in the joint session? A. No, sir; in fact, it never was talked about; it was not suggested to go to any particular candidate; no particular candidate was mentioned in the room.

Q. Will you explain to the committee just how you expected to break the deadlock without agreeing on any man? A. I cannot explain anything we had not arrived at.

Q. What did you talk about at these meetings? A. Talked about the vote; the probabilities of men staying with candidates; how long they would vote for him; what their strength would be, and who in the end would be senator; the general situation, as men would talk about a political situation; there was no concerted action to work for any man.

Q. Did you talk about Senator Squire? A. I suppose that Senator Squire's name was mentioned.

Q. Did you discuss this proposition of five thousand dollars made to you? A. Never in the world; no proposition had been made at that time.

Q. The meetings were held before that? A. Yes, sir; the meetings had been held before this.

Q. Did you not hold a meeting there the night you had the interview with Senator Squire? A. I don't think they did; I was not present.

Q. The same evening? A. I don't know; I would not be certain about that.

Q. Was there not a meeting of these men, or a large portion of them, in session at the same time you were having your interview with Senator Squire? A. Not that I know of, no, sir; I am satisfied there was not, unless it was a meeting I knew nothing about.

Q. You say you had three meetings of this committee? A. I will not be certain; that is my judgment.

Q. Three or four? A. There may have been three meetings; but I will not undertake to testify that I was certainly in attendance at more than two.

Q. When was the last meeting held with respect to the election of the senator? The day Mr. Turner was actually elected? A. I will not say whether it was Saturday night or the same night; I paid no attention to it for the next four or five days; I was busy with the business of the House and senatorial contest, and didn't keep any tab when we held our meetings, or when that incident was.

Q. Do you remember the day he was elected—Senator Turner? A. Yes.

Q. How long before that time had you held a meeting? A. I think, I am satisfied that there was no meeting held after this Squire incident.

Q. How long before Turner's election was that? A. That was on the Sunday preceding the election.

Q. Did you hold a meeting that Sunday night? A. I can't remember; I don't know; I will not say we did or did not.

Q. Where was that meeting held, if there was one held that night? A. I cannot tell.

Q. Where was the meeting held? A. I cannot tell about the meeting.

Q. Where were those meetings held? A. The first meeting I attended was in my room.

Q. When was that? A. I cannot tell; some one, two or three days after the balloting.

Q. How many meetings were held in your room? A. Only one; I had the democrats one night before; in this matter there was only one as I remember; I have two rooms, one a parlor or sitting room; I got some extra chairs from the dining room; at the time of the next meeting, my wife was sick, and I took the chairs to Wilkeson's room.

Q. How many meetings were held in Wilkeson's room? A. I know I attended one.

Q. In any other rooms? A. No, sir; except the time Senator Squire took me to his room; with the exception of the day of the vote, Mr. Alexander sent for me to come to his room, and asked me to work for Squire. I stated Squire had no chance on earth, and I was going to vote for a pop. I wanted a man on this side of the mountains; and did not think Squire was in it.

Q. Mr. Warner, did you hear any statement being made by Senator Cole or Senator Yeend at any of these meetings? A. I don't know; I don't remember of the gentlemen being there.

Q. Don't remember anything they said? A. I could not undertake to say anything.

Q. Do you remember their expressing their opinion on the subject at all? A. I could not undertake to testify to general talk.

Q. It was just a general conversation? A. Yes, sir; there never was any talk in that room by anybody of any money, any consideration or any attempt of anything of the kind whatever.

Q. Do you remember whether either of these men expressed any decided preference for any senatorial candidate? A. I do not.

Q. Did you yourself have any preference? A. Yes, sir.

Q. Did you express your preference? A. At this meeting?

Q. Yes. A. I don't know whether I did or not; I was trying to vote for the high man, and wanted to settle it.

Q. Trying to get in with the high man? A. Yes, sir; I regarded — I wanted a man on this side of the mountains, and there was a lot of gentlemen who were voting for an eastside man, and I thought it was dangerous to the obtaining of a westside man; if I could have got a populist from the westside I would have voted for him.

Q. Do you remember of these gentlemen expressing any decided preference for any candidate? A. I do not, except one night Senator Plummer intimated as a last resort that if the Pops didn't get together he would go to Turner; I just remember that incident.

Q. When was that? A. I cannot say.

Q. Do you remember when Plummer voted for Turner? A. If my memory serves me correct not until the caucus; yes, he did; he made a speech in the joint convention.

Q. Associating that fact with your meeting, can you fix the time that you held this meeting at which Senator Plummer made that statement? A. I could not; it may have been the night he did that, and was talking that evening about voting for Turner; there was some talk that if the pops couldn't get together very soon he would vote for Turner.

Q. This was not a populist organization? A. No, sir; I was a pretty good pop.; I attended their caucus.

Q. There were some democrats on this list? A. I am a pretty good democrat yet.

Q. This was not intended as a middle-of-the-road caucus? A. No, sir; we were trying to get together as many gentlemen as we could get who were not tied up, to settle the matter as soon as possible.

Q. Did you ever mention Senator Squire's name in this meeting, or either of these meetings, or advocate his election? A. Yes, sir; one night I said to the crowd that Senator Squire was United States senator; he had done a lot of good for the state; he was chairman of the committee on coast defenses; he had second place on the committee on commerce; and that I believed he could do more for the interests of this side of the state than any other man; and if there was a chance to elect Senator Squire I should vote for him; but that he was out of it, and I never considered him in the race at all.

Q. All of the men who had been voting for Senator Squire were in this

caucus, were they not? A. If I remember correct, they were, at different times; I know Williams was there, and Mr. Likins was there, and Mr. Merrifield; they were there at different times; all of the men who had been voting steadily for Squire, at different times had attended.

Q. Do you mean to have the committee understand that none of these six men who had been voting for Senator Squire, ever advocated his election? A. It never was of such strength; and the character of the men there was such that every man who was there regarded every other man as being of such a character that he knew what he was going to do, and that his vote could not have been changed.

Q. I want to ask you this: You have already stated repeatedly that no man who was a member of the caucus ever expressed a decided preference for any man; do you mean to say that is so as to these six men who had voted steadily for Squire? A. Yes, sir; I mean to say that there was no man who attended that meeting who ever advocated any one man's election for the purpose of securing individuals to work for him.

Q. What on earth, then, was the object of this caucus? A. In my judgment my object was that we all regarded that Senator Squire was practically out of the race, and it was to consider then what we were going to do with that fact established; after that was established what we were going to do.

Q. As a matter of fact, was this not intended to be a Squire caucus? A. No, sir; I do not say anything. I don't know what the others intended; all my object was, was to get the very best man attainable for the west side of the mountains to represent us in the Senate.

Q. Williams was at all the meetings? A. I don't remember whether he was or not; I remember that Williams stated to me after one meeting was over that he was glad to have me make the talk I had that night for Squire.

Q. When you mentioned Senator Squire's name, and stated you would like to vote for him; that he was entitled to the election, how was that received by the other members of the meeting? A. You misquote me; I never said I thought I would like to vote for him; I regarded his acquaintance and his positions on the committees as important, and if there was a possibility to elect him I would vote for him.

Q. And how was that received by the committee? A. I do not know; there was no expressions, adversely or favorably, about it; it was simply the expression of an opinion.

Q. Didn't pay any particular attention to it? A. No, sir. I don't think there was a member that seriously regarded Senator Squire as being in the race; I didn't after I came here the first day.

Q. Was that matter discussed in the meeting? A. I think it was.

Q. How do you know that they did not regard him as being in the race? A. From the number of votes he was getting; the man had been lauded all over the state as a candidate, and was only getting three votes one day, two another, and finally ran up to six; he was not a formidable candidate.

Q. Mr. Warner, are you able to state now who organized this caucus?
A. I have no idea.

Q. Do you know how it got started. A. No, sir.

Q. Or how it obtained its impetus? A. I don't know; I can't state.

Q. Or how it happened to meet in your room? A. One night they were going to meet, and I said come up to my room; I had two rooms, and one is a parlor—sitting room, with plenty of chairs.

Q. Had the caucus met at any time previous to that? A. Coming down in the elevator one day some gentleman told me they had met, and asked me to come in with them.

Q. Before that? A. Yes, sir.

Q. Was that Williams who asked you? A. I could not pretend to state.

Q. Don't know? A. No, sir.

Q. Do you know where they met prior to that time? A. No, sir.

Q. Or how many meetings they had? A. No, sir; not many, except here was only four or five of them.

Q. Did you have any organization of these fifteen men that acted in harmony or unison at any time on any subject? A. No, sir.

Q. Did you have a chairman? A. I think we did.

Q. Who was the chairman? A. I won't be certain.

Q. Did you have a secretary or clerk? A. No, sir.

Q. Did you have a steering committee? A. No, sir.

Q. Or an executive committee? A. No, sir.

Q. Or a regular organization, with a chairman? A. I don't remember whether we had a chairman? I don't think so.

Q. Or a presiding officer? A. I don't think there was anybody presided.

Q. How long would you be in session? A. Half or three-quarters of an hour, or perhaps an hour; when they met in my room I had a box of cigars, and if they smoked they could smoke a cigar; Mr. Wilkeson, I think, at the meeting there one night in his room treated to cigars; I am satisfied they were there not over half an hour. I think Senator Cole was at that meeting, and Senator Yeend. I want to say this, that so far as that organization was concerned I want to exculpate every man in this legislature who attended it, or whose name was considered, in every particular. The gentlemen who were there were regarded as honorable gentlemen, and that our motives were of the highest and purest order, and nothing otherwise than that. I want to say in reference to anything in the paper, or at the interview between Senator Squire and myself, that it is simply a question between Senator Squire and myself; it is simply a question between Senator Squire and me; there is no man in this legislature whom I ever submitted his name to, or used his name in any way, shape or form, except as I have stated; that I had a list of ten names, and I compared it with a list of some twenty he had; he had the names on the list.

Q. You don't mean to tell this committee and wish them to understand it in that way that these fifteen men, intelligent men—members of this legislature—met night after night without any object? A. I mean to

say that I don't know of any agreed action, or concerted action for any man, or any set of men, or any particular one or any two. I am satisfied there was none; I had no agreement with anybody to work in unison, or for any particular one; I voted individually each day, and I think every other member did the same.

Q. When you were first invited in there, and this organization was perfected, what did you understand to be the object of the meeting?

A. Simply to come together; the populists were caucusing, the republicans were caucusing—the gold bug republicans as we call them—the Turner men were caucusing; there was a whole lot ready to vote for a good man for senator; they were kind of drifting about; out of the confidences of the different factions, or different parties; and I understood the gentlemen were acting together for the purpose of facilitating the election of a senator, and seeing to it that we had some good man elected senator.

Q. Can you remember now, Mr. Warner, who first invited you in to that meeting? A. I cannot; I would not use the name of any gentleman, for I don't know; some gentlemen were coming down out of the elevator, about five or six, said they had a little meeting, and wanted me to come to the next; I don't remember who they were; there was a number of them; I couldn't name them because I might do some man an injustice.

Q. Do you remember of Senator Squire's name being mentioned by any one except yourself? A. I don't know; I expect his name was mentioned as every other candidate's was probably mentioned.

Q. You knew that Representative Williams was Senator Squire's manager? A. I didn't; I never recognized it until the night of the caucus, when he tried to bust the caucus.

Q. Didn't you know he was working for Squire, even before the legislature convened? A. I knew you were working for Denny; but you were not Denny's manager. I never thought anything about it; it never occurred to me in any shape or form.

Q. And the longer you met in these meetings, the further you got apart, and the less likelihood of your ever getting together? A. It had never got where we had considered the advisability of getting together for anybody; informal meetings.

Q. Why not? A. I don't know; I don't remember.

Q. Why was it you could not? A. There was no definite purpose to get together on any particular person.

By SENATOR HIGH: Was I ever in your room? A. Never in your life that I remember of; and I want to further add that I never talked over this senatorial situation with Senator High prior to the election; in fact, never knew him, never had authority to use his name, and never used his name in any way, shape or form.

By SENATOR TAYLOR: I desire to ask you if I, E. W. Taylor, was at any time ever in your room, or in any caucus that was ever held at which you were present. A. Never.

Q. Except, however, the open caucus? A. Never.

Q. Had I any conversation prior to the time of the expose in the Post-

Intelligencer between you and Calhoun? A. I don't think I ever spoke to you in my life.

Q. Had we ever met? A. No, sir; I know not.

Q. Did any body at any time ever mention my name to you in connection with the senatorial contest? A. I never remember to have heard your name mentioned in my life in regard to the senatorial contest.

Q. On the night you were up in Senator Squire's room, was my name mentioned? A. I think your name was on the list; I don't know; I will not be positive.

Q. In the Post-Intelligencer, which is the only authority I have, appears a statement as follows: "Opposite the names of Taylor, Way, Winsor, Warner and Plummer there was a long, black mark, which Senator Squire said he had put there at Warner's dictation." Why was a black mark put after my name? A. I cannot understand it; that is one of the absurdities of the thing—that I should have a black mark put opposite the name of a man I never talked with.

Q. At the time the black marks were put there, was it to indicate that they were high priced men? A. There never was any black marks put there while I was there; in my presence.

Q. Mr. Warner, did you ever know of my attending any meeting or caucus held during this session of the legislature, other than the open caucus held the last night? A. No, sir.

Q. Did you ever hear of any body saying that I attended or would attend a caucus? A. Never in my life.

By SENATOR DORR: Q. You say that Senator Taylor's name was on the list; how did it get on that list? A. I don't know; I saw those names were on the list.

Q. Don't know how they got there? A. No, sir; he pulled the list out of his pocket.

By SENATOR COLE: Q. Had I ever attended any of these meetings, excepting the one held at three o'clock on the Sunday afternoon—the senator being elected on the next Friday? A. I could not say whether it was in the afternoon or evening; I remember of your being at one meeting; I don't remember whether it was Sunday or Saturday, or afternoon or evening.

Q. Was there the name of any man mentioned for United States senator at the meeting which I attended? A. I don't remember that there was. I want simply to add in justice to Senator Taylor that at none of these meetings did I ever hear his name mentioned in any way, shape or form; or that I ever used it in any way, shape or form.

[End of Mr. Warner's testimony.]

By SENATOR DORR: The committee will state that we subpœnaed all witnesses requested, and if there are any others whom it is desired to subpœna we will send for them.

By SENATOR TAYLOR: I desire to state that I never had any conferences with any persons concerning the senatorial question nor attended any caucus or meetings whatever, save the caucus, the open caucus, on

the night preceding the election of United States senator; and no person at any time had any authority whatsoever to use my name in any connection in this matter.

By SENATOR COLE: I never attended any of the caucusses excepting the caucus we held down street. I went at three o'clock in the afternoon of Sunday, with the understanding that the people who were voting everywhere were getting together, some twenty odd of them, for the purpose of having an understanding; and when we left the room, the only remark I remember was made, I think by Mr. Wilkeson made it, "And may the best man win." That was the only reference to a senatorial candidate; that one. Had it been in the interest of any candidate, I should not have gone in there. The statement in the telegram from Senator Squire is so at variance with the report in the Post-Intelligencer, that there is really nothing to it. It is totally at variance with the report in the P.-I.

By SENATOR DORR: Under the authority of that telegram, the committee assumes that Senator Squire will be here on Monday; and we think it best not to go into the matter until he comes, on Monday. The committee understands he was subpoenaed yesterday.

By MR. WARNER: May I ask if the telegram will be placed in the record?

By SENATOR DORR: Yes, sir; it has been read, and will be incorporated in the record.

Motion made and carried that the committee now rest, subject to call of chairman.

The report was read in part by the secretary.

Senator Houghton moved that the report of the committee be placed on file, and the committee discharged.

Senator Taylor moved to amend by continuing the committee indefinitely.

The amendment was lost.

Senator Crow moved to adjourn until 1:30 o'clock P. M.

The motion was lost.

On motion of Senator McReavy, the further reading of the report was dispensed with, and the report ordered spread on the journal in full.

Senator Davis moved to adjourn until 2 o'clock P. M.

The motion was lost.

The motion of Senator Houghton was carried by the following vote: Yeas 17, nays 10, excused from voting 4, absent or not voting 3.

Those voting yea were: Senators Baum, Crow, Davis, Easterday,

Field, Hall, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, and Van Patten — 17.

Those voting nay were: Senators Cole, Deckebach, Frink, High, Lesh, Lewis, Megler, Pusey, Taylor, and Wooding — 10.

Excused from voting: Senators Dorr, Washburn, Wilson, and Yeend — 4.

Absent or not voting: Senators Harper, Hill, and Warburton — 3.

On motion of Senator Taylor, that portion of the findings of the House investigation committee relative to the “list of corruptibles,” which appeared in the Seattle Post-Intelligencer of February 5, 1897, was ordered spread upon the journal.

The following is the finding of the committee:

First: Your committee finds that at some time prior to the interview between Senator Squire and Mr. Warner, as hereinafter stated, several members of the legislature had attempted to agree to act in concert to prevent a deadlock in the senatorial contest and to secure the election of a suitable man for that position; that this attempt upon the part of these members was honorable and legitimate; that the mere fact that any member of this House or of the Senate may have been connected with that attempt, imputes to him no wrong-doing, nor of any attempt at wrong-doing; that it is entirely unwarranted to stigmatize the list of names of these gentlemen as “the list of corruptibles,” as appeared in the Post-Intelligencer of date of February 5, 1897.

(Signed.) JOHN H. POWELL, Chairman.
J. P. DE MATTOS.
ROBERT GERRY.
J. O. COUCH.
W. L. FREEMAN.

On motion of Senator Range, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President pro tem. Plummer called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Warburton, who was excused.

The secretary read a communication from Sheridan Camp No. 24, Sons of Veterans, inviting the members of the Senate to be present at an entertainment to be given by them in commemoration of the birth of Abraham Lincoln, on February 12, 1897.

On motion of Senator Houghton, the communication was placed on file, and the thanks of the Senate extended to said Sheridan Camp No. 24.

President Daniels resumed the chair.

The president announced that the time had arrived for the consideration of House bill No. 38, by Mr. Hansen: An act to prevent dissection and vivisection in the schools of the State of Washington, and providing a penalty therefor.

The bill was read the third time by sections.

Senator Crow moved to amend section 1 by inserting the words "biological or veterinary" after the word "medical," and before the word "department," in line 2 of the printed bill.

The amendment was lost by the following vote: Yeas 14, nays 18, absent or not voting 2.

Those voting yea were: Senators Crow, Deckebach, Dorr, Field, Hall, Houghton, Lesh, Megler, Miller David, Pusey, Reinhart, Runner, Washburn, and Wooding — 14.

Those voting nay were: Senators Baum, Cole, Davis, Easterday, Frink, Harper, High, Hill, Keith, Lewis, Miller T. J., Paul, Plummer, Range, Taylor, Van Patten, Wilson, and Yeend — 18.

Absent or not voting: Senators McReavy and Warburton — 2.

Senator Lesh moved to amend section 2 by striking out the words "or any portion thereof," in line 1 of the printed bill.

The amendment was lost.

On motion of Senator Range, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 29, nays 2, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 29.

Those voting nay were: Senators Hall and Wooding — 2.

Absent or not voting: Senators Crow, McReavy, and Warburton — 3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The House has passed House memorial to congress No. 11, by Mr. Conine, Preamble and resolutions setting forth and acknowledging the claims of Wm. A. Newell as the originator of the system of life saving service of the United States, and thanking him for his agency therein, and the same is herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 31, entitled "An act relating to assignments and satisfactions of judgments.

Also, House bill No. 153, An act making it unlawful to kill or poison honey bees, and making it unlawful to place any poisoned or sweetened substance for the purpose of injuring honey bees, and prescribing the punishment therefor.

Also, House concurrent resolution No. 11, Relating to advertising for bids for office room for state officers.

And the same are herewith sent to the Senate for the signature of the president. S. P. CARUSI, Chief Clerk.

The president signed the above House bill No. 153 and House concurrent resolution No. 11.

Pursuant to notice given on February 9, 1897, Senator Wilson moved to reconsider the vote by which Senate bill No. 153, by Judiciary Committee, An act to amend section 2276 of the Code of 1881, relating to the duties of coroner when the sheriff is incapacitated, was passed.

The motion was carried.

On motion of Senator Taylor, the bill was recommitted to the Committee on Judiciary.

Unanimous consent was given to take up Senate bill No. 146, by Senator Dorr: An act to amend section 227 of volume 2, Penal Code of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters.

The bill was read the third time by sections.

On motion of Senator Dorr, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High,

Hill, Houghton, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Keith, McReavy, and Warburton — 3.

The emergency clause was passed by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, Lesh, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Keith, McReavy, and Warburton — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Committee on Enrolled Bills submitted the following reports:

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 119, entitled "An act defining motions and orders," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

F. G. DECKEBACH.

JOHN I. YEEND.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 54, entitled "An act to appropriate two thousand five hundred dollars, or so much thereof as may be necessary, to repair damages caused by boiler explosion at the Eastern Washington hospital for the insane," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

F. G. DECKEBACH.

JOHN I. YEEND.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 120, entitled "An act to amend section 3289 of the Code of 1881, relating to the removal and suspension of attorneys," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

F. G. DECKEBACH.

JOHN I. YEEND.

Senator Houghton moved that the oath of office be administered to the assistant enrolling clerks, R. H. Norton and W. M. Martin.

The motion was carried.

President Daniels administered the oath of office to each of the above named clerks.

Senator Wilson was excused until Monday afternoon.

President Daniels signed the following bills: House bills Nos. 11 and 31, and Senate bills Nos. 54, 119 and 120.

INTRODUCTION OF BILLS.

Senate bill No. 188, by Senator Lesh: An act creating a board of forest commission, defining its powers and duties, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 189, by Senator Taylor: An act relating to justice courts.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 190, by Senator Megler: An act appropriating money for the maintenance of the state fish hatcheries.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 191, by Senator Davis: An act to regulate the weight of loads to be carried on wagon tires of given width upon the public roads in the State of Washington, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 192, by Senator Davis: An act relating to state road commission.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 193, by Senator Davis: An act to encourage the use of wide tires on wagons in the State of Washington.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 194, by Senator Van Patten: An act to amend an act relating to public lands, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 195, by Senator T. J. Miller: An act relating to competency of jurors.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

The secretary read the following communication from W. R. Conway:

To the Honorable Senate of the State of Washington:

GENTLEMEN—Please take notice, that having been originally elected engrossing clerk of the senate of the State of Washington, at the fifth session thereof, I am ready to perform the duties of said clerkship at any and all times during the present session.

W. R. CONWAY.

Dated Olympia, Wash., February 11, 1897.

On motion of Senator Baum, the communication was laid on the table.

The secretary read a communication from Moran Bros., of Seattle, inviting the members of the Senate to be present at the launching of the first steel vessel built in the State of Washington.

The secretary also read a communication from the Seattle bar, stating that it is the sense of the bar of Seattle that the legislature

should provide for the holding of the sessions of the supreme court in the city of Tacoma, and the removal of the state library to the same city.

Senator T. J. Miller moved to refer the communication to the Committee on State Penal and Reformatory Institutions.

Senator Easterday moved to amend by referring it to the Committee on Judiciary.

The amendment was carried, and the motion, as amended, prevailed.

GENERAL FILE.

Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the Constitution of the State of Washington, embodying the right of woman suffrage.

On motion of Senator Taylor, the bill was made a special order for Tuesday, February 16, 1897, at 2 o'clock P. M.

Senate bill No. 108, by Senator Warburton: An act to prevent the unauthorized interference with electric meters, wires and cables used for measuring and conducting electric currents.

On motion of Senator Plummer, the consideration of the bill was deferred until later.

Senate bill No. 102, by Senator Keith: An act relating to home stead exemptions.

On motion of Senator Taylor, the bill was made a special order for Tuesday, February 16, 1897, at 2:15 o'clock P. M.

Senate bill No. 24, by Senator Taylor: An act relating to negligence.

The bill was read the third time by sections.

Senator Wilson moved to amend section 2 by striking out all of lines 1, 2, 3 and 4, and the first two words in line 5 of the printed bill.

The amendment was lost.

On motion of Senator Taylor, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 20, nays 9, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Field, High, Hill, Houghton, Keith, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 20.

Those voting nay were: Senators Deckebach, Frink, Hall, Harper, Lewis, Megler, Washburn, Wilson, and Wooding — 9.

Absent or not voting: Senators Easterday, Lesh, McReavy, Pusey, and Warburton — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The following resolution was introduced by Senator Runner:

WHEREAS, At the legislative session of 1895 an appropriation of sixty thousand dollars was made for the purpose of constructing a building for the Cheney normal school: therefore, be it

Resolved, That a committee of three (3) be appointed by the president of the Senate to visit the Cheney normal school and investigate as to the manner in which said appropriation had been expended, and such other matters as may be properly brought before it.

And be it further resolved, That the committee also visit the Eastern Washington hospital for the insane, and inquire into the condition of said institution.

The resolution was adopted.

The following resolution was introduced by Senator Keith:

Resolved by the Senate, That the Committee on State Library be directed to report a resolution providing for the exchange of such publications as the state has on hand for the publication of the Session Laws by the Tribune Printing Company. The committee shall state the number of copies and the price on the basis of which the books are to be exchanged.

The resolution was adopted.

Senate concurrent resolution No. 18, by Senator Crow:

Resolved by the Senate, the House concurring, That a joint committee of five, consisting of two members of the Senate and three of the House, be appointed with directions to investigate and ascertain the financial status and condition of the State of Washington on January 1, 1897, which committee shall designate the nature of such indebtedness, classify and summarize the items of indebtedness of the state at that time, and report in writing with all convenient speed.

On motion of Senator Crow, the resolution was referred to the Committee on Memorials.

The following resolution was introduced by Senator Crow:

Resolved, That the president of the Senate appoint a committee of three from the Senate to visit the Ellensburg normal school, and the agricultural college and school of science at Pullman, and report to the Senate the condition of said schools.

The resolution was adopted.

Senator Yeend was excused until Wednesday.

Senate bill No. 53, by Senator Dorr: An act fixing the place of residence of the attorney general of the State of Washington, and declaring an emergency.

On motion of Senator Dorr, the bill was made a special order for Thursday, February 11, 1897, at 2:30 o'clock, P. M.

Senate bill No. 77, by Senator Megler: An act making provisions for the incorporation of cemetery associations.

The bill was read the third time by sections.

On motion of Senator Easterday, section 5 was amended by inserting the words "and twenty" after the word "hundred," in line 3 of the printed bill.

On motion of Senator Easterday, section 8 was amended by striking out the word "plan" in line 1 of the printed bill, and inserting in lieu thereof the word "plat."

On motion of Senator Megler, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Keith, Lesh, McReavy, Warburton, and Wilson — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

President pro tem. Plummer was called into the chair.

Senate bill No. 19, by Senator Plummer: An act to protect manufacturers, bottlers and other dealers in ale, porters, lager beer, soda, mineral waters and other beverages from the loss of their casks, barrels, kegs, bottles and boxes.

The bill was read the third time by sections.

On motion of Senator Easterday, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 26, nay 1, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis,

Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Runner, Taylor, Van Patten, Washburn, and Wooding — 26.

Senator Reinhart voted nay.

Absent or not voting: Senators Hall, Lesh, McReavy, Range, Warburton, Wilson, and Yeend — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 120, entitled "An act to amend section 3289 of the Code of 1881, relating to the removal and suspension of attorneys."

Also, Senate bill No. 119, entitled "An act defining motions and orders."

Also, Senate bill No. 54, entitled "An act to appropriate two thousand five hundred dollars, or so much thereof as may be necessary, to repair damages caused by boiler explosion at the Eastern Washington hospital for the insane."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

House bill No. 17, by Mr. Barlow: An act to amend an act entitled "An act to amend section six (6) of an act entitled 'An act to prescribe the duties and fix the compensation of the reporter of the supreme court, approved December 20, 1889, and declaring an emergency,' approved February 26, 1891," and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Easterday, section 2 was added, which reads as follows: "An emergency exists, and this act shall take effect immediately."

The bill was placed on its final passage, and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, and Wooding — 28.

Nays: None.

Absent or not voting: Senators Keith, Lesh, McReavy, Warburton, Wilson, and Yeend — 6.

Senator Lesh was excused until Monday, February 15, 1897.

Senators Easterday, Davis and T. J. Miller demanded a call of the Senate.

All of the members responded to their names except Senators Lesh, McReavy, Warburton, Wilson and Yeend, who were excused.

On motion of Senator Dorr, the further call of the Senate was dispensed with.

The emergency clause of House bill No. 17 failed to pass by the following vote: Yeas 11, nays 17, absent or not voting 6.

Those voting yea were: Senators Easterday, Field, Hill, Houghton, Miller David, Miller T. J., Range, Reinhart, Runner, Van Patten, and Wooding — 11.

Those voting nay were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Frink, Hall, Harper, High, Keith, Megler, Paul, Plummer, Pusey, Taylor, and Washburn — 17.

Absent or not voting: Senators Lesh, Lewis, McReavy, Warburton, Wilson, and Yeend — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Frink moved to adjourn until Monday, February 15, at 1:30 o'clock P. M.

The president declared the motion out of order.

The president announced the following select committees:

To visit the Cheney normal school and Eastern Washington hospital for the insane — Senators Runner, Van Patten and Deckebach.

To visit the Ellensburg normal school and the state agricultural college — Senators David Miller, Crow and Lewis.

On motion of Senator Taylor, the Senate adjourned until Saturday at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, February 13, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Lesh, Wilson and Yeend, who were excused, and Senators Frink and David Miller.

On motion of Senator Plummer, the reading of the journal of Thursday was dispensed with, and the journal approved.

President Daniels announced that the House desired that a portion of the room partitioned off for the different clerks be given to it for the use of its clerks.

On motion of Senator Dorr, the matter was referred to the Committee on Enrolled Bills.

Senator Plummer gave notice that, at the proper time, he would move to reconsider the vote by which Senate bill No. 24 was passed.

On motion of Senator Plummer, the committee appointed to visit the Cheney normal school and Eastern Washington hospital for the insane were instructed to visit Spokane and obtain all the information possible in the matter of the claim of Moffatt Bros., now pending before the Senate.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,
OLYMPIA, WASH., February 12, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate concurrent resolution No. 18, Relating to the financial status and condition of the State of Washington, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., February 12, 1897.

MR. PRESIDENT:

I, of your Committee on Memorials, to whom was referred Senate concurrent resolution No. 18, Relating to the financial status and condition of the State of Washington, have had the same under consideration, and I respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

FRANK P. LEWIS.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 49, entitled "An act to amend section 1662 of the second volume of Hill's Annotated Codes of the State of Washington, in regard to the discovery of facts and documents by interrogatories," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In the first line of said bill, before the words "section 1662," insert the words "Section 1. That;" after the word "follows" insert the words "section 1662;" in line 5 of said section strike out the word "ten" and insert in lieu thereof the word "twenty," and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Lewis and Plummer.

On motion of Senator Taylor, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 47, entitled "An act regarding the recovery of damages for negligence causing death," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting after the word "another," in section 1, line 2, the words "the surviving spouse," and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Lewis and Plummer.

On motion of Senator Plummer, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 48, entitled "An act regarding the liability of railroad corporations

for injuries sustained by employes thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Report concurred in by Senators Lewis, Taylor, and Plummer.

On motion of Senator Houghton, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 62, entitled "An act to define the boundaries of Chehalis county," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Report concurred in by Senators Lewis, Taylor, and Plummer.

Senator Easterday moved that the report be adopted.

Senator Dorr moved to amend by placing the bill referred to in the report on general file.

The amendment was carried, and the motion, as amended, prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 97, entitled "An act relating to claims against the estates of infants, insane and incompetent persons," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Add to section 1, after the word "rejected," the following: "A failure or neglect to allow a claim for thirty days after the same is presented, shall be deemed a rejection thereof;" and that, as so amended, said bill do pass.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor and Plummer.

On motion of Senator Plummer, the report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 13, entitled "An act to amend section 23 of an act entitled 'An act in relation to garnishments,' approved March 8, 1893," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Dorr, Lewis, Plummer, Washburn, and Houghton.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 94, entitled "An act to regulate the fees of jurors, and repealing all laws inconsistent therewith," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 2, line 2 of the printed bill (line 4 of engrossed bill), strike out the words "and fifty cents;" strike out all of section 3, and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Houghton, and Plummer.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 114, entitled "An act allowing married women to act as administratrix or executrix of estates of deceased persons, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Strike out section 2; amend section 3 so as to read as follows: "An emergency exists, and this act shall take effect immediately." And that as so amended said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Houghton, and Plummer.

On motion of Senator Plummer, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 121, entitled "An act to amend section 1 of an act approved March 2, 1895, entitled 'An act relating to nuisances, amending section 2893 of volume 1 of Hill's Annotated Statutes and Codes of Washington,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Houghton, and Plummer.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 197, entitled "An act to amend section 35 of the Penal Code, as com-

piled in volume 2 of Hill's Annotated Statutes and Codes of Washington, defining and punishing the crime of seduction," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Plummer, and Houghton.

On motion of Senator Plummer, the report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 206, entitled "An act to amend section 195 of volume 2, Hill's Annotated Statutes and Codes of Washington, the same being section 83 of the Code of Washington of 1881, relating to answers and the contents thereof in civil actions, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Dorr, Houghton, and Plummer.

The following resolution was introduced by Senator Plummer:

Resolved, That the secretary of the Senate be and is hereby instructed to draw the necessary warrants to pay the mileage of the visiting committees appointed by the president of the Senate.

On motion of Senator Plummer, the resolution was adopted.

Senator Dorr moved to reconsider the motion by which the preceding resolution was adopted.

The motion was carried.

Senator Megler moved to amend the resolution to read as follows:

Resolved, That the secretary of the Senate be and is hereby instructed to draw a warrant for \$75 for each member of the visiting committees appointed by the president of the Senate.

The resolution, as amended, was adopted.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 10, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 8, to prohibit advertisements soliciting business in matters of divorce.

Very respectfully,

J. E. BALLAINE, Private Secretary.

INTRODUCTION OF BILLS.

House bill No. 244, by Mr. Parker: An act establishing legal rate of interest and to prevent usury.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senator Van Patten moved to amend by referring it to the Committee on Judiciary.

The amendment was carried, and the motion, as amended, prevailed.

House memorial No. 12, by Mr. Conine: Relative to the acknowledgment of the claims of William A. Newell, as the originator of the system of life saving service of the United States.

The memorial was read the first time; and, on motion of Senator Megler, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

Senate bill No. 196, by Senator Crow: An act amending section 486, subdivisions 4 and 5, chapter 3, volume 2 of Hill's Annotated Codes and Statutes, in relation to exemptions.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 197, by Senator Keith: An act providing for the survey and establishment of a state road, creating a commission, defining their duties, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 198, by Senator Plummer: An act in regard to the rights of municipal corporations in navigable streams and waters, and giving them power to utilize the same by lease or otherwise.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 199, by Senator Harper: An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons in the State of Washington.

The bill was read the first time; and, on motion of Senator

Harper, the rules were suspended, the bill read the second time by title, and referred to the Committee on Medicine, Dentistry, Hygiene and Surgery.

Senate bill No. 200, by Committee on Judiciary: An act to amend sections 293 and 294 of volume 2, Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 201, by Senator Davis: An act fixing the fees and compensation of sheriffs.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 202, by Senator Taylor: An act to amend section 1326 of Hill's Annotated Statutes and Codes of Washington, in relation to applications for new trials and causes for which it may be granted in criminal cases.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 203, by Senator Crow: An act amending section 513 of chapter 5 of volume 2 of Hill's Annotated Codes and Statutes, in relation to sales under execution.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the Committee on Judiciary.

Senate bill No. 204, by Senator Crow: An act granting to judgment debtors the right of possession, rents, issues and profits of real estate, and premises sold under execution during the period of redemption, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the Committee on Judiciary.

Senate bill No. 205, by Senator Davis: An act to amend section 6 of an act to provide for the commencement of civil actions in superior courts, and bringing the same to trial, approved March 15, 1893.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 206, by Senator Runner: An act relating to the election of road supervisors.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senator Plummer moved that when the Senate adjourn it be until Monday at 2 o'clock P. M.

The motion was carried.

Senator Taylor moved that the Senate go into executive session to consider the appointments of the governor.

The motion was carried.

EXECUTIVE SESSION.

On motion of Senator Megler, the following nominations were considered.

BOARD OF HEALTH, COLLECTION DISTRICT OF PUGET SOUND.

Quincy A. Brooks of Jefferson county, appointed February 9, 1897, for the term ending March 7, 1898, vice F. W. Hastings, nomination withdrawn.

Samuel Hadlock of Jefferson county, appointed February 9, 1897, for the term ending March 7, 1898, vice Nathaniel C. Strong, nomination withdrawn.

L. D. Smith of Jefferson county, appointed February 9, 1897, for the term ending March 7, 1898, vice Jacob Behrman of Jefferson county, nomination withdrawn.

On separate roll call, each of the foregoing appointments, were confirmed by the unanimous vote of all the senators present.

Those voting in the affirmative were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, Hill, Houghton, Keith, Lewis, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, and Van Patten — 23.

Nays: None.

Absent or not voting: Senators Baum, Frink, High, Lesh, McReavy, Miller David, Warburton, Washburn, Wilson, Wooding, and Yeend — 11.

On motion of Senator Megler, the executive session dissolved.

Senator Taylor moved that the Senate refuse to recede from its amendments to House bill No. 32, by Mr. Land: An act requiring

street railways and street car companies or corporations owning or operating street railways or street car lines to employ competent men to operate and assist in operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act.

The motion was carried by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, Hill, Houghton, Keith, Lewis, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, and Wooding — 26.

Nays: None.

Absent or not voting: Senators Frink, High, Lesh, McReavy, Miller David, Warburton, Wilson, and Yeend — 8.

Senator Plummer moved that the president appoint a committee of three to confer with a like committee from the House to confer in regard to the differences between the two Houses.

The motion was carried.

The president appointed Senators Taylor, Dorr and Davis as such committee.

Senate concurrent resolution No. No. 18, by Senator Crow, Relative to the appointment of a committee to ascertain the financial condition of the state," was placed on its final passage.

It was then passed by the following vote: Yeas 19, nays 6, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Field, High, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Wooding — 19.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Pusey, Warburton, and Washburn — 6.

Absent or not voting: Senators Frink, Hall, Harper, Lesh, Lewis, Miller David, Paul, Wilson, and Yeend — 9.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 118, entitled 'An act amending section 4 of an act entitled 'An

act in relation to attorneys and counselors at law, providing for admission to the bar,' passed by the legislature of the State of Washington and approved March 19, 1895," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president signed the above Senate bill No. 118.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 121, entitled "An act amending section 1 of an act entitled 'An act relating to new trials, and amending section 282 of the Code of Washington of 1881, and repealing sections 279 and 280 of said Code of 1881,' approved February 26, 1891, relating to new trials," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president signed the above Senate bill No. 121.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 184, entitled "An act relating to dairy products, amending sections two and three of an act approved March 11, 1895, entitled 'An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same or imitations thereof; providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency,'" and the same is herewith submitted for the signature of the president.

S. P. CARUSI, Chief Clerk.

The president signed the above House bill No. 184.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

The House has passed House bill No. 278, by Mr. Ames, An act entitled "An act subjecting the franchises of private corporations to sale upon execution and upon order of sale under foreclosure of mortgage."

Also, House bill No. 129, by Mr. Hodgdon, An act entitled "An act to

authorize punitive or exemplary damages for injury to person and property in certain cases."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

The following resolution was introduced by Senator High.

Resolved, That the sergeant-at-arms is hereby directed to procure for each member of the Senate, a copy of the Session Laws of 1895.

The resolution was adopted.

GENERAL FILE.

Senate bill No. 108, by Senator Warburton: An act to prevent the unauthorized interference with electric meters, wires and cables used for measuring and conducting electric currents.

On motion of Senator Warburton, the bill was made a special order for Tuesday, February 16, 1897, at 3 o'clock P. M.

Senate memorial No. 4, by Senator High: Relating to agriculture.

On motion of Senator High, the memorial was made a special order for Friday, February 19, 1897, at 3:30 o'clock P. M.

Pursuant to notice given on February 11, 1897, Senator Range moved to reconsider the vote by which Senate bill No. 46, "An act for the relief of Thomas Delaney," failed to pass.

The motion was carried.

On motion of Senator Plummer, the bill was referred to the Committee on Claims and Auditing.

On motion of Senator Houghton, at 12 o'clock M., the Senate adjourned until Monday at 2 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-SIXTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 15, 1897. }
2 o'clock P. M.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Crow, Deckebach, Lewis, David Miller, Runner and Yeend, who were excused.

The journal of Saturday was read and approved.

Senator Dorr called attention to an omission in the minutes of the second day's session, January 12, 1897, regarding a concurrent resolution introduced by himself on that day. The president ordered the secretary to make the correction *nunc pro tunc*, which is as follows:

Senator Dorr introduced concurrent resolution No. 8, as follows:

Resolved, That a joint committee of two members of the senate and three members of the House be appointed to visit and fully investigate the affairs of the state penitentiary at Walla Walla, and report the result to the legislature now in session;

And be it further resolved, That the governor be respectfully requested to lay before said committee all information and facts upon this subject, which may be in his possession.

The resolution was adopted.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 15, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 146, by Senator Dorr: An act entitled "An act to amend section 227 of volume 2 of Penal Codes of Hill's Annotated Statutes of Washington," and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 9, by Senator High, with amendment hereto attached: Strike "Session Laws of 1898."

And the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 15, 1897.

MR. PRESIDENT:

The House has passed House bill No. 201, by Mr. Tobiassen: An act entitled "An act repealing chapter 123 of the Laws of 1893, 'An act providing for the establishment of a system of improved roads in counties, and for the manner of laying out, constructing and maintaining the same.'"

Also, House bill No. 437, committee substitute for House bill No. 77, by Judiciary Committee: An act entitled "An act relating to costs in civil actions."

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 15, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 118, entitled "An act amending section 4 of an act entitled 'An act in relation to attorneys and counselors at law, providing for admission to the bar,' passed by the legislature of the State of Washington, and approved March 19, 1895."

Also, Senate bill No. 121, "An act amending section 1 of an act entitled 'An act relating to new trials, and amending section 282 of the Code of Washington of 1881, and repealing sections 279 and 280 of said Code of 1881,' approved February 26, 1891, relating to new trials."

And the same are herewith returned. S. P. CARUSI, Chief Clerk.

The following resolution was introduced by Senator Cole:

Resolved, That a Senate committee of three be appointed to visit the school for defective youth at Vancouver, and go up the Columbia river to Cascade locks to investigate the fish industry.

The resolution was adopted.

The president appointed Senators Cole, Dorr and High as the committee provided for in the preceding resolution.

The president announced that the time had arrived for the consideration of Senate bill No. 11, by Senator Plummer: An act to amend section 4 of an act entitled "An act amending sections 356 and 361 of chapter 3, title 8; also sections 367, 379, 384, 385, 390 and 391 of chapter 3, title 8; also sections 397 and 401 of chapter 4, title 8; also sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Codes and Statutes of Washington; also amending section 380, volume 1, Hill's Annotated Codes and Statutes," as amended by section of chapter 91 of the Laws of 1893, in relation to elections, approved March 21, 1895, and declaring an emergency.

On motion of Senator Plummer, the bill was indefinitely postponed.

Senate bill No. 12, by Senator Plummer: An act to repeal an act entitled "An act to authorize and regulate primary elections of voluntary political associations; to provide for punishment of frauds therein," approved March 21, 1895, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Houghton, section 2 was amended to read as follows: "An emergency exists, and this act shall take effect immediately."

Senator Taylor moved to refer the bill to the Committee on Judiciary.

Senator Plummer moved to amend by referring it to the Committee on Elections and Privileges.

The amendment was carried, and the motion, as amended, prevailed.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 73, entitled "An act declaring it a misdemeanor on the part of employers to require as a condition of employment the surrender of any right of citizenship," have had the same under consideration and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting an enacting clause, and by striking out section 4; and that as so amended it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.

On motion of Senator Davis, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 4, entitled "An act to prevent coercion and black-listing of employes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.

On motion of Senator T. J. Miller, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 117, entitled "An act to protect employes and laborers in their claims for wages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

T. J. MILLER.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 72, entitled "An act to prohibit the practice of blacklisting, and the coercing and influencing of employes by their employers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

Amend section 3 to read:

SEC. 3. No person or employer of labor, and no agent or officer or employe of any corporation, on behalf of such corporation, shall require, coerce, compel, demand or influence any person, employe, laborer or mechanic to enter into an agreement, either written or verbal, from such person, employe, laborer or mechanic, not to join or become or remain a member of any labor organization, as a condition of such person securing employment or continuing in the employment of any such person, employer or corporation.

Amend section 4 to read:

SEC. 4. Any person or employer of labor, and any agent, representative or employe of any person or employer, who shall be guilty of any violation of any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one hundred (100) dollars or imprisonment in the county jail for a period of not more than ninety (90) days for each and every offense.

And your committee further recommends that sections 6 and 7 be stricken from the bill.

And with the foregoing recommendations, that the bill do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

THOS. J. MILLER.

On motion of Senator Davis, the report was adopted.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 24, entitled "An act relating to negligence," have examined and compared the same, and respectfully report the same as correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. W. RANGE.

J. A. COLE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 19, entitled "An act to protect manufacturers, bottlers and dealers in ale, porters, lager beer, soda, mineral water and other beverages, from the loss of their casks, barrels, bottles and boxes," have examined and compared the same, and we respectfully report the same as correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. W. RANGE.

J. A. COLE.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 13, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

DEAR SIR—Governor Rogers has this day approved Senate bill No. 119, defining motions and orders; also, Senate bill No. 54, appropriating \$2,500 to repair damages caused by the explosion of the boiler at the Eastern Washington hospital for the insane; also, Senate bill No. 120, amending section 3289, Code of 1881, with reference to the removal and suspension of attorneys.

Very respectfully,

J. E. BALLAINE, Private Secretary.

INTRODUCTION OF BILLS.

House bill No. 129, by Mr. Hodgdon: An act to authorize punitive or exemplary damages for injury to person or property in certain cases.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 278, by Mr. Ames: An act subjecting the franchises of private corporations to sale upon execution and upon order of sale under foreclosure of mortgage.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 201, by Mr. Tobiassen: An act repealing chapter 123 of the Laws of 1893, An act providing for the establishment of a system of improved roads in counties, and for the manner of laying out, constructing and maintaining the same.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 437, by the Committee on Judiciary: An act relating to costs in civil actions.

The bill was read the first time; and, on motion of Senator East-day, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 207, by Senator Davis: An act to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations made with a view to lessen, or which tend to lessen, free competition in the importation or sale of articles imported into this state, or in the manufacture or sale of articles of domestic growth or domestic raw material; to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations, designed, or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or article; to provide for forfeiture of the charter and franchise of any corporation, organized under the laws of this state, violating any of the provisions of this act; to prohibit every foreign corporation violating any of the provisions of this act from doing business in this state; requiring the attorney general of this state to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalty prescribed; to prescribe penalties for any violation of this act; to authorize any person or corporation damaged by any such trust, agreement or combination to sue for the recovery of such damage.

The bill was read the first time; and, on motion of Senator Easter-day, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 208, by Senator T. J. Miller: An act providing for a current expense fund in cities of the third class, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 209, by Senator David Miller: An act accepting the terms of the act of congress approved August 18, 1894, and the

act amendatory thereof, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein; making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 210, by Senator Taylor: An act requiring street cars to be provided with pilots, fenders or aprons.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 211, by Senator High: An act for the extirpation of injurious weeds.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 212, by Senator Range: An act limiting the risk assumed by employes.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 213, by Senator Range: An act providing that certain agreements between employers and their employes, limiting or avoiding the liability for damages for personal injuries to such employes, shall be void.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 214, by Senator Deckebach: An act to amend sections 5 and 11 of an act entitled "An act providing liens upon saw logs, spars, piles, or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens and the benefit thereof, and the manner and procedure of obtaining the same, approved March 15, 1893."

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Manufactures.

Senate bill No. 215, by Senator Cole: An act to regulate the purchase of blank and printed books, blanks, etc., by counties of this

state, and limiting the same to articles manufactured in the State of Washington.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Printing.

Senate bill No. 216, by Senator Easterday: An act authorizing the prosecuting attorneys of the several counties of the state to compel the attendance of witnesses before them.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

The president announced that the time had arrived for the consideration of Senate bill No. 93, by Senator Houghton: An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington.

The bill was read the third time by sections.

On motion of Senator Houghton, section one was amended by inserting the words "in the State of" before the word "Washington," in line 3 of the printed bill.

Senator Lesh moved that the rules be suspended, the bill considered engrossed, and placed on its final passage.

Senator T. J. Miller moved to amend by ordering it engrossed.

The amendment was carried, and the motion, as amended, prevailed.

Pursuant to notice given on Saturday, February 13, 1897, Senator Plummer moved to reconsider the vote by which Senate bill No. 24, An act relating to negligence, was passed.

The motion was carried by the following vote: Yeas 19, nays 7, absent or not voting 8.

Those voting yea were: Senators Baum, Davis, Dorr, Easterday, Frink, Harper, High, Keith, Lesh, McReavy, Megler, Paul, Plummer, Pusey, Range, Warburton, Washburn, Wilson, and Wooding — 19.

Those voting nay were: Senators Cole, Field, Hill, Houghton, Miller T. J., Reinhart, and Taylor — 7.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Runner, Van Patten, and Yeend — 8.

On motion of Senator Plummer, the bill was referred to the Committee on Labor and Labor Statistics.

Senator Hall was excused until Monday, February 22, 1897.

Concurrent resolution No. 19, by Senator McReavy, was introduced, as follows:

Resolved by the Senate, the House concurring, That there is a diversity of opinion in regard to the best means of furthering the fishing industry of the State of Washington, and as this great industry should receive the most careful consideration at the hands of the legislature, and in order to act intelligently in the premises they should be in possession of all information attainable: therefore, be it

Resolved, That a committee of three holdover Senators be appointed by the president of the Senate, who shall visit the Columbia river, Gray's Harbor, Shoalwater Bay and Puget Sound during the fishing season of 1897, and examine the various methods adopted to take fish and the effects of such methods upon the fishing industry, and all matters pertaining thereto, and report to the next regular session of the legislature the result of such investigation.

Each member of said committee shall receive the sum of five dollars per day and mileage during the time actually employed: *Provided, however,* That in no event shall the total sum expended exceed one thousand dollars.

Senator McReavy moved to adopt the resolution.

Senator Taylor moved to amend by laying it on the table.

The amendment was lost.

The motion of Senator McReavy was carried by the following vote: Yeas 15, nays 9, absent or not voting 10.

Those voting yea were: Senators Baum, Dorr, Field, Frink, Harper, High, Houghton, McReavy, Megler, Miller T. J., Paul, Plummer, Reinhart, Warburton, and Washburn — 15.

Those voting nay were: Senators Davis, Easterday, Hill, Keith, Lesh, Pusey, Taylor, Wilson, and Wooding — 9.

Absent or not voting: Senators Cole, Crow, Deckebach, Hall, Lewis, Miller David, Range, Runner, Van Patten, and Yeend — 10.

A petition was received from the operators of fish wheels on the Columbia river, signed by T. F. Levens and thirty-five others, asking that the legislature ascertain the real facts connected with the fishing industry of the Columbia river, in view of the proposed abolition of fish wheels.

A petition was received from the board of trade of the city of New Whatcom, addressed to the senators and representatives from Whatcom county, containing a resolution which had been unanimously adopted, stating that the sentiment of the board is that the fish traps be not abolished. The board also states its opposition to

the proposed "compulsory pilotage" bill, and favors the abolishment of the "salary fund."

The petitions were referred to the Committee on Fisheries.

Senator Cole presented a petition from typographical union No. 170, of Tacoma, praying for the enactment into law of Senate bill No. 215.

Similar petitions were also presented by Senator Cole from the typographical unions of Seattle and Spokane.

On motion of Senator Plummer, they were referred to the Committee on Printing.

GENERAL FILE.

Senate bill No. 124, by Senator Van Patten: An act to amend section 2490 of volume 1 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the restraint of swine running at large.

On motion of Senator Davis, the consideration of the bill was deferred until later.

Senate bill No. 127, by Senator Van Patten: An act to amend section one (1), chapter 31 of House bill No. 62 of the Session Laws of the State of Washington for 1893, entitled "An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals."

On motion, the consideration of the bill was deferred until later.

Senator Plummer was called to the chair.

House bill No. 97, by Mr. G. H. Baker: An act in relation to and to prevent the introduction or spread of diseases among sheep, and declaring an emergency.

The bill was read the third time by sections, and placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhardt, Taylor, Warburton, Washburn, Wilson, and Wooding—25.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Range, Runner, Van Patten, and Yeend—9.

The emergency clause was passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 25.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Range, Runner, Van Patten, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Yeend, at 5:10 o'clock p. m., the Senate adjourned until to-morrow at 10 o'clock a. m.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 16, 1897. }
10 o'clock a. m.

President Daniels called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Crow, Deckebach, Hall, Lewis, David Miller, Runner, Van Patten and Yeend, who were excused.

The journal of yesterday was read and approved.

On motion of Senator Plummer, the following bills were laid on the table.

Senate bill No. 47, by Senator Plummer: An act regarding the recovery of damages for negligence, causing death.

Senate bill No. 73, by Senator Plummer: An act declaring it a misdemeanor on the part of employers to require as a condition of employment the surrender of any right of citizenship.

Senate bill No. 4, by Senator Plummer: An act to prevent coercion and blacklisting of employes.

Senate bill No. 72, by Senator Plummer: An act to prohibit the practice of blacklisting and the coercing and influencing of employes by their employers.

The president announced that Senator Washburn had been appointed on the committee to investigate the school for defective youth, in the place of Senator Dorr.

The president appointed Senators Dorr and Taylor on the committee to investigate the affairs at the state penitentiary.

President pro tem. Plummer was called to the chair.

The following resolution was introduced by Senator Hill:

Resolved, That a committee of three be appointed by the president of the Senate to visit the state reform school at Chehalis.

On motion, the following was added to the resolution: "Such committee shall have power to send for persons and papers."

The resolution, as amended, was adopted.

President pro tem. Plummer appointed Senators Hill, Harper and T. J. Miller as such committee.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 93, entitled "An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

INTRODUCTION OF BILLS.

Senate bill No. 217, by Senator T. J. Miller: An act to regulate and establish reasonable rates of compensation for the transmission of messages by telegraph in the State of Washington, and fixing a penalty.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 218, by Senator T. J. Miller: An act to regulate and establish reasonable rates of compensation for the carrying of

freight or express matter by express companies doing business within this state, and fixing a penalty.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 219, by Senator Hill: An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 220, by Senator Easterday, by request: An act for the relief of the Union Savings Bank and Trust Company, a corporation, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 221, by Senator McReavy: An act to divide the State of Washington into two districts for the purpose of regulating the fishing industry and for the protection of food fishes.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

GENERAL FILE.

Senate bill No. 93, by Senator Houghton: An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington.

The bill was placed on its final passage, and passed by the following vote: Yeas 22, nays 3, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, Hill, Houghton, Keith, Lesh, McReavy, Megler, Paul, Plummer, Pusey, Taylor, Warburton, Washburn, Wilson, and Wooding — 22.

Those voting nay were: Senators High, Miller T. J., and Reinhart — 3.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Range, Runner, Van Patten, and Yeend — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler, consideration of the following bills was deferred until later:

Senate bill No. 124, by Senator Van Patten: An act to amend section 2490 of volume 1 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the restraint of swine running at large.

Senate bill No. 127, by Senator Van Patten: An act to amend section 1, chapter 31 of House bill No. 62 of the Session Laws of the State of Washington for 1893, entitled "An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals."

Senate bill No. 52, by Senator Van Patten: An act to confer certain powers upon certain benevolent or charitable corporations, incorporated under the laws of Washington, in relation to the control and disposition of homeless, neglected or abused children.

Senator T. J. Miller was called into the chair.

Senate bill No. 49, by Senator Plummer: An act to amend section 1662 of the second volume of Hill's Annotated Code of the State of Washington, in regard to the discovery of facts and documents by interrogatories.

The bill was read the third time by sections.

On motion of Senator Plummer, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The bill was then passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 25.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Range, Runner, Van Patten, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

President pro tem. Plummer resumed the chair.

Senate bill No. 62, by Senator Deckebach: A bill for an act to define the boundaries of Chehalis county.

On motion of Senator Wilson, consideration of the bill was deferred until later.

Senate bill No. 97, by Senator Taylor: An act relating to claims against the estates of infants, insane and incompetent persons.

The bill was read the third time by sections.

On motion of Senator Taylor, section 1 was amended by inserting the words "in whole or in part" after the word "rejected," in line 3 of the printed bill.

The following resolution was introduced by Senator Keith:

Resolved, That a committee of three be appointed by the president of the Senate to visit the soldiers' home at Orting, Washington.

The resolution was adopted.

President pro tem. Plummer appointed Senators Keith, Megler and Easterday as such committee.

Senate bill No. 172 (substitute for Senate bill No. 81), by Committee on State Charitable Institutions: An act to amend section 2 of an act of the legislature of the State of Washington entitled "An act to provide for the establishment and maintenance of a home for honorably discharged union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who were bona fide citizens of this state," approved March 26, 1890.

On motion of Senator Megler, consideration of the bill was deferred until later.

House bill No. 13, by Mr. Powell: An act to amend section 23 of an act entitled "An act in relation to garnishments," approved March 8, 1893.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding—24.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, High, Lewis, Miller David, Range, Runner, Van Patten, and Yeend—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Daniels resumed the chair.

The following resolution was introduced by Senator Davis:

Resolved, 'That a committee of three be appointed by the president to visit the state normal school at New Whatcom; said committee shall have power to send for persons and papers.

Senator McReavy moved to amend the resolution to read as follows:

Resolved, That a committee of three members of the Senate be appointed to visit the state university at Seattle, and the state normal school at New Whatcom, for the purpose of examining and reporting upon the condition of said institutions, and such committee is hereby authorized to send for persons and papers.

The amendment was carried, and the resolution, as amended, was adopted.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

The House has passed House bill No. 232, by Mr. de Mattos, An act relating to establishing a board of pardons, and defining its duties, and declaring an emergency.

Also, House bill No. 233, by Mr. H. D. Smith, in relation to prosecutions for public offenses, and providing process to compel the attendance of witnesses in behalf of accused persons.

Also, House bill No. 147, An act entitled "An act fixing the per diem and mileage of witnesses in criminal actions."

Also House bill No. 14, by Mr. Merrifield, entitled "An act establishing the mileage rate for state, county and municipal officers, witnesses and jurymen."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The House has passed House bill No. 43, by Mr. Warner, An act relating to auditing cost bills of Snohomish county, in certain cases.

Also, House concurrent resolution No. 1, by Mr. Mathiot, relating to election of United States senator by a direct vote of the people.

Also, House joint memorial No. 6, by Mr. Carr, a memorial addressed to congress, in regard to Indian wars extending from 1847 to 1856, and urging the passage of a pension bill for the benefit of the veterans engaged in these wars.

Also, House memorial No. 1, by Mr. Warner, relating to Cuban war.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

The House has passed House memorial No. 8, by Mr. Gilkey: A memorial asking congress to establish a life-saving station on coast of Washington, at the mouth of Gray's Harbor.

Also, House memorial No. 8, by Mr. Hagadorn: Relative to building a light-house and harbor at the mouth of the Quillayute river.

Also, House bill No. 67, by Mr. Kittinger: An act entitled "An act amending an act relating to appropriating lands."

Also, House bill No. 68, by Mr. Kittinger: An act entitled "An act extending the right of eminent domain to mining companies."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 38, entitled "An act to prevent vivisection and regulate dissection in the schools of the State of Washington, except medical and dental schools, or medical department of any school, and providing a penalty therefor," and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

The president signed the above House bill No. 38.

House bill No. 114, by Mr. Roberts: An act allowing married women to act as administratrix of estates of deceased persons, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, East-erday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 25.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Range, Runner, Van Patten, and Yeend — 9.

The emergency clause was then passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, East-erday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 26.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lewis, Miller David, Runner, Van Patten, and Yeend—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 121, by Mr. Nelson: An act to amend section 1 of an act approved March 2, 1895, entitled "An act relating to nuisances, amending section 2893 of volume 1 of Hill's Annotated Statutes and Codes of Washington.

On motion of Senator Harper, the bill was referred to the Committee on Dykes, Drains and Drainage.

House bill No. 94, by Mr. de Mattos: An act entitled "An act to regulate the fees of jurors," and repealing all laws inconsistent therewith.

The bill was read the third time by sections.

Senator Range moved to amend section 1 by inserting the words "and fifty cents" after the word "dollars," in line 2 of the printed bill.

Senator Lesh moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Wilson, the bill was laid on the table.

House bill No. 206, by Mr. Struve: An act to amend section 195 of volume 2, Hill's Annotated Statutes and Codes of Washington, the same being section 83 of the Code of Washington of 1881, relating to answers and the contents thereof in civil actions, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Plummer, section 1 was amended by striking out the word "the," in line 5 of the printed bill and inserting in lieu thereof the word "an;" also, by striking out all of line 5 after the word "action," all of line 6, and subdivisions 1, 2 and 3, of the printed bill.

On motion of Senator Warburton, the bill was laid on the table.

Senate bill No. 181, by Committee on Judiciary: An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies, in the hands of the treasurer of the state.

The bill was read the third time by sections.

On motion of Senator Easterday, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 21, nays 0, absent or not voting 13.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Reinhart, Taylor, Warburton, and Wilson — 21.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lesh, Lewis, Miller David, Pusey, Range, Runner, Van Patten, Washburn, Wooding, and Yeend — 13.

The emergency clause was then passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Warburton, Washburn, and Wilson — 23.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, Lesh, Lewis, Miller David, Pusey, Runner, Van Patten, Wooding, and Yeend — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 117, by Mr. Nelson: An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor."

On motion of Senator Dorr, the bill was referred to the Committee on Dykes, Drains and Drainage.

On motion of Senator Warburton, at 12 o'clock M. the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except

Senators Crow, Deckebach, Hall, Lewis, Runner, Van Patten and Yeend, who were excused.

The following resolution was introduced by Senator T. J. Miller:

WHEREAS, Through a misunderstanding, the Senate has appointed committees of three senators in each instance to visit and investigate the soldiers' home, the reform school, the state university and Whatcom normal school: therefore,

Resolved, That we invite the House to join in each committee's work by the appointment of four Representatives for each committee; also, that a joint committee of five, three from the House and two from the Senate, be appointed to visit and investigate the Western Washington hospital for the insane at Steilacoom, and the House is respectfully requested to act immediately.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 97, entitled "An act relating to claims against the estates of infants, insane and incompetent persons," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

Senator Dorr moved that a committee of one, consisting of Senator T. J. Miller, be appointed to visit the House and ascertain whether it was the desire of the House to unite with the Senate in sending out these investigation committees.

The motion was carried.

Senator Houghton moved that the oath of office be administered to Miss Alice Strohm and Mr. R. A. Winchell, assistant enrolling clerks.

The motion was carried.

President Daniels administered the oath of office to each of the preceding clerks.

The president announced that the time had arrived for the consideration of Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the constitution of the State of Washington, embodying the right of woman suffrage.

On motion of Senator Hill, the bill was made a special order for Thursday, February 25, 1897, at 2 o'clock P. M.

The president announced that the time had arrived for the consideration of Senate bill No. 102, by Senator Keith: An act relating to homestead exemptions.

On motion of Senator Keith, the bill was recommitted to the Committee on Constitution and Constitutional Revision.

Senate bill No. 183, by Judiciary Committee: An act in relation to the Legislative Manual.

The bill was read the third time by sections.

Senator Lesh moved to amend section 3 by striking out the words "may in his discretion," in line 1 of the printed bill, and inserting in lieu thereof the word "shall."

The amendment was carried.

On motion of Senator Dorr, as amended by Senator Lesh, the bill was laid on the table.

The president announced that the time had arrived for the consideration of Senate bill No. 151, by Senator Runner: An act relating to railroads.

On motion of Senator Baum, the bill was laid on the table.

Senator Easterday moved that the Senate return to the sixth order of business, the introduction and first reading of bills.

The motion was carried.

INTRODUCTION OF BILLS.

House bill No. 233, by Mr. H. D. Smith: An act to amend section 1363 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to the issuance of process in criminal cases.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 67, by Mr. Kittinger: An act to amend sections 4 and 10 of an act entitled "An act to regulate the mode of proceeding to appropriate lands, real estate or other property, by corporations for corporate purposes, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency," approved March 21, 1890, the same being sections 651 and 657 of volume 2 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 68, by Mr. Kittinger: An act to extend the right of eminent domain to mining, milling or reduction works companies, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 147, by Mr. Johnston: An act fixing the per diem and mileage of witnesses in criminal actions.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 14, by Mr. Merrifield: An act establishing the mileage rate for state, county and municipal officers, witnesses and jurymen.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and laid on the table.

House bill No. 43, by Mr. Warner: An act for the relief of Sno-homish county.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

House joint resolution No. 1, by Mr. Mathiot: Relating to the election of United States senators by a direct vote of the people.

The resolution was read the first time; and, on motion of Senator Dorr, the rules were suspended, the resolution read the second time by title, and referred to the Committee on Memorials.

House memorial No. 6, by Mr. Carr: A memorial addressed to congress in regard to Indian wars, extending from 1847 to 1856, urging the passage of a pension bill for the benefit of the veterans engaged in those wars.

The memorial was read the first time; and, on motion of Senator Range, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

House memorial No. 3, by Mr. Gilkey: A memorial to congress praying for the establishment of a life-saving station on the coast of the State of Washington, north of Gray's Harbor.

The memorial was read the first time; and, on motion of Senator

Wilson, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

House memorial No. 8, by Mr. Hagadorn: A memorial to congress praying for the establishment of a harbor and lighthouse at the mouth of the Quillayute river.

The memorial was read the first time; and, on motion of Senator Wilson, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

Senate memorial No. 1, by Mr. Warner: A memorial to congress praying that it recognize the fact that a state of war exists in Cuba.

The memorial was read the first time; and, on motion of Senator Range, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

House bill No. 202, by Mr. de Mattos: An act establishing a board of pardons and defining its duties and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 222, by Senator Davis: An act to prevent the confiscation, by means of fines or otherwise, of the wages of minors employed by firms and corporations.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 97, by Senator Taylor: An act relating to claims against the estates of infants, insane and incompetent persons.

The bill was placed on its final passage, and passed by the following vote: Yeas 20, nays 0, absent or not voting 14.

Those voting yea were: Senators Baum, Dorr, Easterday, Field, Frink, Harper, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 20.

Nays: None.

Absent or not voting: Senators Cole, Crow, Davis, Deckebach, Hall, High, Lesh, Lewis, Miller David, Pusey, Range, Runner, Van Patten, and Yeend — 14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 182, by Judiciary Committee: An act relating to bonds in actions and proceedings.

The bill was read the third time by sections.

On motion of Senator Easterday, the word "that," the first word in line 1 of the printed bill, was stricken out.

On motion of Senator Plummer, section 2 was added, which reads as follows: An emergency exists, and this act shall take effect immediately.

On motion of Senator Plummer, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 22, nays 0, absent or not voting 12.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, and Wooding — 22.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, High, Lesh, Lewis, Miller David, Range, Runner, Van Patten, Wilson, and Yeend — 12.

The emergency clause was passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Harper, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 24.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Hall, High, Lesh, Lewis, Miller David, Runner, Van Patten, and Yeend — 10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator T. J. Miller, who was appointed a committee of one to visit the House and ascertain its wishes in regard to joining with the Senate in appointing investigating committees, presented as a verbal report that he was unable to procure a definite answer, but that it was his opinion that the House did not desire to send out any investigating committees.

On motion of Senator Plummer, the committee was discharged, and the resolution previously introduced by Senator T. J. Miller was laid on the table.

The president announced that the time had arrived for the consideration of Senate bill No. 108, by Senator Warburton: An act to prevent the unauthorized interference with electric meters, wires and cables used for measuring and conducting electric currents.

The bill was read the third time by sections.

On motion of Senator Warburton, section 1 was amended as follows: In line 11 of the printed bill the words "or by imprisonment in the county jail not more than ninety days, or both such fine and imprisonment," were inserted after the figures "\$100."

On motion of Senator Warburton, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 20, nays 0, absent or not voting 14.

Those voting yea were: Senators Baum, Cole, Dorr, Easterday, Field, Frink, Harper, Houghton, Lesh, McReavy, Megler, Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding—20.

Nays: None.

Absent or not voting: Senators Crow, Davis, Deckebach, Hall, High, Hill, Keith, Lewis, Miller David, Miller T. J., Range, Runner, Van Patten, and Yeend—14.

There being no objection, the title of the bill was ordered to stand as the title the of act.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 16, 1897.

*The Honorable, the Senate of the State of Washington, Senate Chamber,
Olympia, Washington:*

GENTLEMEN—In my message to the legislature, January 13, 1897, I called the attention of your honorable body to the urgent importance to a thorough investigation into the condition of affairs at the state penitentiary. Since that time additional facts have come into my possession which convince me more strongly than ever that this investigation should be prosecuted in a manner that will reveal the full truth as to the methods that have prevailed there.

The volume of evidence which I have collected convinces me that such investigation cannot be completed within a few days.

Therefore, considering the brief time yet remaining for the legislative session, and the great amount of important legislation yet to be enacted and demanding the presence of every member, I am of the opinion that an investigation of the penitentiary should not now interfere with legislative duties, but should be postponed until after the close of the session. The investigation should be by a legislative committee, or in such manner as the legislature may direct, such committee to be clothed with full power to summon witnesses, and have ample time to do its work thoroughly.

Very respectfully, J. R. ROGERS, Governor.

On motion of Senator Wilson, the message was placed on file.

The president announced the following visiting committees:

To visit the state university and the New Whatcom normal school — Senators Davis, Harper and McReavy; and Senator Pusey to visit the Chehalis reform school instead of Senator Harper, who was excused at his own request.

Senator McReavy, by his own request, was excused from serving on the foregoing committee.

On motion of Senator Houghton, at 3:25 o'clock P. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 17, 1897. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Crow, Dekebach, Hall, Lewis, Miller David, Runner and Van Patten, who were excused.

The journal of yesterday was read and approved.

Senator Paul presented a petition, signed by O. O. Wright and forty-two other citizens of Douglas county, praying for the enact-

ment of a law giving to the counties of Douglas and Okanogan, jointly, one superior court judge.

On motion of Senator Paul, the petition was referred to the Committee on Judiciary.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 185, entitled "An act to prevent corrupt practices at elections," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

E. W. TAYLOR.

J. M. FRINK.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 137, entitled "An act to provide for the registration of voters in all school elections, in school districts having a population of ten thousand or more inhabitants, and regulating elections in such districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

E. W. TAYLOR.

J. M. FRINK.

Senator Plummer moved to adopt the report.

Senator Range moved to amend by placing it on general file.

On motion of Senator Plummer, the amendment was laid on the table.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 129, entitled "An act to authorize punitive or exemplary damages for injury to person or property in certain cases," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Houghton, Plummer, and Warburton.

On motion of Senator Wilson, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 146, entitled "An act fixing the per diem and mileage of witnesses in civil actions," have had the same under consideration, and we respectfully report a substitute therefor, and recommend that the substitute do pass; and that said House bill No. 146 be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Houghton, Warburton, and Plummer.

On motion of Senator Easterday, that portion of the report relative to the indefinite postponement of House bill No. 146, was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 43, entitled "An act creating a board of state supervisors, defining its duties, etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Wilson, Houghton, Warburton, and Plummer.

Senator Wilson moved to adopt the report.

Senator T. J. Miller moved to amend by placing the bill referred to in the report on general file.

The amendment was carried, and the motion, as amended, prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 116, entitled "An act relating to deficiency judgments," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Dorr, Houghton, Plummer, and Warburton.

On motion of Senator Dorr, the report was laid on the table.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 98, entitled "An act to appropriate for the support of fire depart-

ments certain taxes paid by fire insurance companies," have had the same under consideration, and we respectfully report a substitute therefor, and recommend that said substitute do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Warburton, Houghton, Dorr, Plummer, and Wilson.

The report was adopted.

SENATE CHAMBER,

OLYMPIA WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 84, entitled "An act permitting cases in the supreme court to be submitted upon typewritten briefs, providing no costs shall be recovered for any briefs, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Dorr, Warburton, Plummer, and Houghton.

Senator Easterday moved to adopt the report.

Senator T. J. Miller moved to amend by placing the bill referred to in the report on general file.

The amendment was lost, and the motion prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 160, entitled "An act relating to actions for the foreclosure of existing mortgages of real estate, and for the recovery of the debt secured by such mortgages on real estate, relating to sales in such cases, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Houghton, Warburton, and Plummer.

On motion of Senator Range, the bill referred to in the report, was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 155, entitled "An act in relation to prosecuting attorneys, and declaring an emergency," have had the same under consideration, and we re-

spectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Houghton, Plummer, and Warburton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 61, entitled "An act providing for the board of prisoners in county jails," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Dorr, Warburton, Houghton, and Plummer.

On motion of Senator T. J. Miller, as amended by Senator Wilson, the report was laid on the table.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 44, entitled "An act to amend section 1271 of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Warburton, Houghton, Plummer, and Dorr.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 129, entitled "An act to amend sections 3, 8 and 10 of an act entitled 'An act regulating county surveyors, defining their powers and regulating their duties,' Session Laws, 1895, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Dorr, and Houghton.

Senator Plummer does not concur in the above report.

On motion of Senator Plummer, the bill referred to in the report was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 69, entitled "An act for the relief of the widow of H. C. Ashenfelter, deceased," for the purpose of advising the Senate whether the passage of the proposed act by the legislature would be in conflict with section 25, article 2 of the state constitution, have had the same under consideration, and we respectfully report as follows: This section of the constitution, among other things, provides that "the legislature shall never grant any extra compensation to any contractor after the services shall have been rendered or the contract entered into." If the relief asked for in this proposed act is to grant compensation to the contractor, or his representative, for the performance of a contract for which the state has made payment, in accordance with the terms of the contract, the passage of it is forbidden by the section referred to.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Wilson, Dorr, Houghton, Plummer, and Warburton.

On motion of Senator Houghton, the above Senate bill No. 69 was made a special order for Tuesday, February 23, 1897, at 3 o'clock P. M.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 96, entitled "An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington, relating to notice to a party after appearance in an action," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 1 of the printed bill, line 5, after the word "be," insert the words "had or;" in the same line, strike out the word "may," and insert in lieu thereof the word "shall;" strike out the words "the adverse party," at the end of line 5 and the beginning of line 6, and insert in lieu thereof the word "him;" in line 6, strike out the word "or," and insert in lieu thereof the word "nor;" strike out all of said section 1 after the word "sale," in line 10; and that as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Houghton, Taylor, Plummer, Dorr, Warburton, and Wilson.

On motion of Senator Easterday, the report was adopted.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

The House has passed House bill No. 317, by Mr. C. P. Bush, an act entitled "An act to provide for voting on an amendment to section one (1) of article two (2) of the Constitution of the State of Washington, embodying the right of direct legislation by the people," and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 32, entitled "An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ competent men to operate and assist in operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act," and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

The following resolution was introduced by Senator Keith:

Resolved, That the secretary of the Senate be instructed to draw an order on the state auditor to the amount of thirty-five dollars for each of the members of the committee appointed to visit the school for defective youth at Vancouver, and the Cascade locks, viz.: Senators Cole, Washburn and High.

Senator Range moved to lay the resolution on the table.

The motion was lost.

On motion of Senator Keith, the resolution was adopted.

On motion of Senator Cole, the Committee on Judiciary was instructed to report without further delay on Senate bill No. 148, by Senator Cole: An act for the regulating of the sale of property under execution and decrees.

INTRODUCTION OF BILLS.

Senate bill No. 223, by the Committee on Judiciary (substitute for House bill No. 146): An act fixing the per diem and mileage of witnesses.

The bill was read the first time.

Senator Easterday moved that the rules be suspended, the bill read the second time by title, and ordered printed.

Senator Davis moved as an amendment that the bill be indefinitely postponed.

The amendment was lost, and the original motion prevailed.

Senate bill No. 224, by the Committee on Judiciary (substitute for Senate bill No. 98): An act imposing a tax of 2 per cent. on premiums received by fire insurance companies in villages, towns or cities having organized fire departments therein, and appropriating the same for the support and maintenance of such fire departments.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 225, by Senator McReavy: An act for expediting the completion of the state capitol building, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Buildings and Grounds.

Senate bill No. 226, by Senator Wooding: An act relating to Superior court commissioners, and amending section 1 of an act entitled "An act relating to the appointment, powers and duties of superior court commissioners and declaring an emergency," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 227, by the Committee on Education: An act to establish a code of the laws of the State of Washington.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Education.

Senate bill No. 228, by Senator Lesh: An act for the maintenance and support of the Washington state fair, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 229, by Senator Lesh: An act in relation to escheats.

The bill was read the first time; and, on motion of Senator Lesh,

the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 230, by Senator T. J. Miller: An act amending section 2966 of volume 1, Hill's Annotated Statutes and Codes, relating to the salary of the clerk of the supreme court.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

House bill No. 317, by Mr. Bush: An act to provide for voting on an amendment to section 1, article 2, of the constitution of the State of Washington, embodying the right of direct legislation by the people.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

GENERAL FILE.

On motion of Senator Wilson, consideration of the following bills was deferred until later:

Senate bill No. 124, by Senator Van Patten: An act to amend section 2490 of volume 1 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the restraint of swine running at large.

Senate bill No. 127, by Senator Van Patten: An act to amend section one (1), chapter 31 of House bill No. 62 of the Session Laws of the State of Washington for 1893, entitled "An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals."

Senate bill No. 52, by Senator Van Patten: An act to confer certain powers upon certain benevolent or charitable corporations, incorporated under the laws of Washington, in relation to the control and disposition of homeless, neglected or abused children.

Senate bill No. 62, by Senator Deckebach: A bill for an act to define the boundaries of Chehalis county.

On motion of Senator Megler, consideration of the following bills was deferred until later:

Senate bill No. 172 (substitute for Senate bill No. 81), by Committee on State Charitable Institutions: An act to amend section 2 of an act of the legislature of the State of Washington entitled "An

act to provide for the establishment and maintenance of a home for honorably discharged union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who were bona fide citizens of this state," approved March 26, 1890.

Senate bill No. 200, by Judiciary Committee: An act to amend sections 293 and 294 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to attachments.

On motion of Senator High, the Senate concurred in the House amendments to Senate concurrent resolution No. 9, by Senator High: Relative to the procurement of the Session Laws of 1893-95.

On motion of Senator Easterday, the Senate took up Senate bill No. 96, by Senator Taylor: An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington, relative to notice to a party after appearance in an action.

The bill was read the third time by sections.

On motion of Senator Plummer, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, Frink, Harper, High, Hill, Houghton, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Dorr, Hall, Keith, Lesh, Lewis, Miller David, Range, Runner, and Van Patten — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson gave notice that he would move to amend rule 26, by striking out the word "twenty," and inserting in lieu thereof the word "ten."

The president announced that Senator Paul had been appointed on the committee to visit the state university and New Whatcom normal school, in place of Senator McReavy.

On motion of Senator Yeend, at 12 o'clock M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 18, 1897. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Cole, Crow, Davis, Deckebach, Hall, Harper, High, Miller David, Paul, Runner and Washburn, who were excused, and Senator Baum.

The secretary began the reading of the journal of the preceding day.

Senator Plummer demanded a call of the Senate.

All of the members answered to their names except those who were absent at roll call.

On motion of Senator Plummer, the further call of the Senate was dispensed with.

The reading of the journal was completed, and the journal approved.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

The House has passed House bill No. 255, by Mr. Cline, an act entitled "An act repealing all acts or portions of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for the further regulation, restraint or prohibition of the manufacture and traffic in intoxicating liquors under a system of state control thereof, and prescribing penalties for violations of the same."

Also, House bill No. 352, by Mr. Hansen, an act entitled "An act to regulate and license the catching of fish, and repealing chapter 9 of the Session Laws of 1893 of the State of Washington, and abolishing fish traps, pound nets, weirs, fish wheels, or other fixed appliances for catching fish in the waters controlled by the State of Washington."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 32, entitled "An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ experienced and competent men to operate, and assist in operating, cars and dummies on such car lines, and providing a penalty for the violation of this act," and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

The president signed the above House bill No. 32.

Senator Wilson moved to reconsider the vote by which Senate bill No. 155, by Senator Paul, An act in relation to prosecuting attorneys, and declaring an emergency, was indefinitely postponed.

The motion was carried.

On motion of Senator Wilson, said Senate bill No. 155 was laid on the table.

The president announced that Senator Frink had been appointed on the committee to visit the state reform school, in the place of Senator Pusey.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 96, entitled "An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington, relating to notice to a party after appearance in an action," have examined and compared the same, and we respectfully report the same as correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 146, entitled "An act to amend section 227 of volume 2, Penal Code of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

The president signed the above Senate bill No. 146.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of G. W. Race, assistant sergeant-at-arms, for mileage while serving subpoena on W. C. Squire \$15, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that he be allowed \$7.50.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

S. WARBURTON.

On motion of Senator Range, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of E. C. Macdonald for services as stenographer to investigating committee \$41, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that he be allowed the sum of \$27.50.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

S. WARBURTON.

On motion of Senator Range, the report was adopted.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 278, entitled "An act subjecting the franchises of private corporations to sale upon execution and upon order of sale under foreclosure of mortgage," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Amend the title by striking out the words "of private corporations;" in section 1, line 1 of the printed bill, strike out the words "of private corporations;" and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Wilson, Warburton, and Houghton.

On motion of Senator Easterday, the report was adopted.

REPORTS OF COMMITTEE ON STATE PENAL AND REFORMATORY INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 144, entitled "An act providing for the employment of convicts confined in the state penitentiary," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended by inserting after the word "work," in line 5 of section 1, printed bill, the following words: "and shall pay for the maintenance of such convicts while so employed;" we further recommend that the emergency clause be stricken out, and as so amended we report the same back without further recommendation.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report:

JOSEPH HILL.

E. W. TAYLOR.

On motion of Senator Yeend, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred House bill No. 51, entitled "A bill for an act regulating the sale of jute fabrics and bricks at the state penitentiary," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report:

JOSEPH HILL.

E. W. TAYLOR.

Senator Frink presented a petition from the city council of Seattle praying that House bills Nos. 257 and 262 be enacted into law.

On motion of Senator Frink, the petition was referred to the Committee on State, Granted, School and Tide Lands.

The secretary read the following communication from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 17, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 118, amending section 4 of the act relating to attorneys and counselors at law, and providing for admission to the bar; also, Senate bill No. 121, amending section 1 of an act relating to new trials.

Very respectfully, J. E. BALLAINE, Private Secretary.

On motion of Senator Range, House bill No. 137, by Mr. Land, An act to provide for the registration of voters in all school elections in school districts having a population of ten thousand or more inhabitants, etc., was taken from the table and re-committed to the Committee on Elections and Privileges.

INTRODUCTION OF BILLS.

Senate bill No. 231, by the Committee on State, Penal and Reformatory Institutions: An act to amend section 20 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891, being section 1160 of the first volume of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 232, by Senator Taylor: An act relating to the confirmation of sheriff's sales.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 255, by Mr. Cline: An act repealing all acts or portion of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for the further regulation, restraint or prohibition of the manufacture and traffic in intoxicating liquors under a system of state control thereof, and prescribing penalties for the violation of the same.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

House bill No. 352, by Mr. Hansen: An act to regulate and license the catching of fish, and repealing chapter 9 of the Session Laws of 1893 of the State of Washington, and abolishing fish traps, pound nets, weirs, fish wheels, or other fixed appliances for catching fish in the waters controlled by the State of Washington.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

GENERAL FILE.

Senate bill No. 200, by Judiciary Committee: An act to amend sections 293 and 294 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to attachments.

The bill was read the third time by sections.

On motion of Senator Dorr, section 2 was amended as follows: After the word "file," in line 6 of the printed bill, insert the words "or deposit;" after the word "sureties," in line 7 of the printed bill, insert the words "or lawful money of the United States;" after the word "bond," in line 11 of the printed bill, insert the words "or the deposit of said money."

The bill was placed on its final passage and passed by the following vote: Yeas 18, nays 1, absent or not voting 15.

Those voting yea were: Senators Dorr, Easterday, Field, Frink, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Plummer, Pusey, Reinhart, Taylor, Warburton, Wilson, Wooding, and Yeend — 18.

Senator Hill voted nay.

Absent or not voting: Senators Baum, Cole, Crow, Davis, Deckebach, Hall, Harper, High, Lewis, Miller David, Paul, Range, Runner, Van Patten, and Washburn — 15.

On motion of Senator Taylor, section 3 was stricken out.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Plummer moved that when the Senate adjourn it be until Saturday at 10 o'clock A. M.

The motion was lost.

On motion of Senator Easterday, the Senate took up the second order of business, reports of standing committees.

REPORTS OF COMMITTEE ON EDUCATION.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 141, entitled "An act relating to exemptions of personal property," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass, with the following amendment: Insert in section 1 the words, "one thousand," in lieu of "twenty-five hundred."

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

W. B. FIELD.

D. E. LESH.

V. A. PUSEY.

On motion of Senator Keith, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 143, entitled "An act relative to exemptions of property from sale on executions," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass, without amendments.

Respectfully submitted.

We concur in this report:

C. E. KEITH, Chairman.

W. B. FIELD.

D. E. LESH.

V. A. PUSEY.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 71, entitled "An act providing for publishing and supplying a series of text-books to the common schools of the State of Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass without amendments.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

W. B. FIELD.

D. E. LESH.

V. A. PUSEY.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 125, entitled "An act to amend section 52 of chapter 12 of the Laws of 1889-90, entitled 'An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency,' approved March 27, 1890, as amended by section 16 of chapter 127 of the Laws of 1891, approved March 7, 1891," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

W. B. FIELD.

D. E. LESH.

V. A. PUSEY.

On motion of Senator Keith, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 188, entitled "An act relating to creating a forestry commission,"

have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass, with the amendment to section 6, "take effect immediately," in lieu of the words "be in force from and after its passage and approval by the governor."

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

W. B. FIELD.

D. E. LESH.

V. A. PUSEY.

On motion of Senator Keith, the report was adopted.

On motion of Senator Dorr, Senate bill No. 53, by Senator Dorr, "An act fixing the place of residence of the attorney general of the State of Washington, and declaring an emergency," was made a special order for Thursday, March 4, 1897, at 2:30 o'clock P. M.

On motion of Senator Warburton, at 11:20 o'clock A. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 19, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; the following members being absent: Senators Cole, Crow, Davis, Deckebach, Frink, Hall, Harper, High, Lewis, Miller David, Paul, Plummer, Van Patten and Washburn, who were excused, and Senators Easterday, Houghton and McReavy.

The president announced that there was not a quorum present for the transaction of business.

On motion of Senator Range, at 10:10 o'clock A. M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; the following members being absent: Senators Cole, Crow, Davis, Deckebach, Frink, Hall, Harper, High, Lewis, Miller David, Paul, Plummer, Runner, Van Patten and Washburn, who were excused, and Senators Easterday, Keith, Lesh and Pusey.

The president announced that there was not a quorum present for the transaction of business.

President Daniels announced that he had appointed Senators McReavy and Miller T. J. as the Senate members of the committee to secure rooms for state offices provided for in House concurrent resolution No. 11.

On motion of Senator Taylor, at 2:10 o'clock P. M., the Senate took a recess for thirty minutes.

President Daniels called the Senate to order at 2:40 o'clock P. M.

The secretary called the roll; the following members being absent: Senators Cole, Crow, Davis, Deckebach, Frink, Hall, Harper, High, Lewis, Miller David, Paul, Plummer, Runner, Van Patten and Washburn, who were excused, and Senators Keith and Lesh.

The president announced that there was not a quorum present for the transaction of business.

On motion of Senator Taylor, at 2:45 o'clock P. M., the Senate adjourned until to-morrow at 2 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-FIRST DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, February 20, 1897. }
2 o'clock P. M.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; the following members being absent: Senators Cole, Davis, Deckebach, Frink, Hall, Harper, High, Lewis, Megler, Paul, Plummer, Runner, Van Patten and Washburn, who were excused, and Senators Baum, Dorr, Easterday, Keith, Lesh, McReavy, Warburton and Wooding.

The president announced that there was not a quorum present for the transaction of business.

On motion of Senator Houghton, at 2:10 o'clock P. M., the Senate took a recess for 20 minutes.

President Daniels called the Senate to order at 2:30 o'clock P. M.

The secretary called the roll; all members being present except Senators Davis, Deckebach, Frink, Hall, Harper, Lewis, Megler, Plummer, Runner, Van Patten and Washburn, who were excused, and Senators Dorr, Easterday, Lesh, Warburton and Wooding.

On motion of Senator Houghton, at 2:35 o'clock P. M., the Senate adjourned until Tuesday, at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 23, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except

Senators Frink, McReavy, Plummer and Runner, who were excused.

The journal of Thursday, Friday and Saturday was read and approved.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 244, entitled "An act establishing legal rate of interest and to prevent usury," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Wilson, Dorr, Houghton, and Warburton.

On motion of Senator Taylor, the above House bill No. 244 was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 107, entitled "An act to prohibit capital punishment in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Dorr, Lewis, Plummer, Washburn, Houghton, Wilson, and Warburton.

REPORTS OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 25, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the jurisdiction and powers of the supreme court," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

J. W. RANGE.

E. W. TAYLOR.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 317, entitled "An act to provide for voting on an amendment to section one (1) of article two (2) of the constitution of the State of Washington, embodying the right of direct legislation by the people," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

Strike out the words "such as county, city, town, township, etc.," in line 6 of section 1 of the printed bill; also, the same words in line 15 of section 1 of the printed bill; also, the same words in lines 21 and 22 of section 1 of the printed bill.

Also, by inserting the words "embodying the right of direct legislation" after the word "constitution," in line 2 of section 3 of the printed bill; also, by inserting the same words after the word "constitution," in line 3 of section 3 of the printed bill; also, by striking out in section 3, lines 2 and 3, the words "relating to legislative powers;" also, by striking out the same words in lines 3 and 4 of section 3, and that as so amended the bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

I concur in this report:

J. W. RANGE.

I do not concur in the percentage of voters required to initiate legislation.

E. W. TAYLOR.

On motion of Senator Keith, the report was adopted.

REPORTS OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 112, entitled "An act to regulate the weighing and measuring of coal mined in this state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the word "less" be stricken out in section 3 of the engrossed bill and the word "more" inserted in lieu thereof; also, amend section 3 of engrossed bill by striking out the words "nor more than a thousand," so that the engrossed bill will read to correspond with line 3, section 3 of the printed bill, and that the bill do pass as so amended.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report:

J. A. DAVIS.

W. B. FIELD.

E. C. KEITH.

D. E. LESH.

V. A. PUSEY.

On motion of Senator Baum, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 152, entitled "An act to provide for the recovery of bodies of workmen enclosed or entombed in coal mines," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report:

W. B. FIELD.

J. A. DAVIS.

E. C. KEITH.

D. E. LESH.

V. A. PUSEY.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 437, entitled "An act relating to costs in civil actions," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Houghton, Taylor, Lewis, Dorr, Wilson, Plummer and Warburton.

REPORTS OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 57, entitled "An act proposing an amendment to section 39 of article 2 of the constitution, and providing for the submission thereof to the qualified electors of this state for approval at the next general election to be held in November, 1898," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

J. W. RANGE.

E. W. TAYLOR.

On motion of Senator T. J. Miller, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 177, entitled "An act providing for a

constitutional amendment relating to the salaries of state officers, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In section 2, lines 1 and 2, strike out the words "twenty-five hundred" and insert in lieu thereof the words "three thousand;" in section 3, line 1, strike out the word "two" and insert in lieu thereof the word "three;" in section 3, line 2, strike out the word "three" and insert in lieu thereof the word "four." And that as so amended the bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

J. W. RANGE.

E. W. TAYLOR.

On motion of Senator T. J. Miller, the report was adopted.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 65, entitled "An act to amend section 1443 of the Code of Washington of 1881, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, and in regard to the settlement of estates of decedents," have had the same under consideration, and we respectfully report a substitute, herewith, and recommend that said substitute do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Wilson, Dorr, Houghton, and Warburton.

On motion of Senator T. J. Miller, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 137, entitled "An act further to regulate, restrain, license and prohibit the sale of intoxicating liquors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Committee on Public Morals.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Wilson, Dorr, Houghton, and Warburton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 138, entitled "An act to provide for the recovery of a reasonable at-

torney fee by the prevailing party in civil actions for damages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Houghton, Dorr, and Wilson.

On motion of Senator Easterday, the above Senate bill, No. 138, was laid on the table.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 15, entitled "An act to repeal an act entitled 'An act creating and establishing municipal courts in the cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks thereof, and declaring an emergency,' approved February 28, 1891, and all acts amendatory thereof, and abolishing the courts and offices thereby created," have had the same under consideration, and do respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Strike out section 2, and add to section 1 of said bill, the following: "*Provided, however, That the municipal courts created by the act hereby repealed, shall continue to exist as by said act created, until September 1, 1897, and the officers thereof shall, until that time, continue to perform the duties of their offices, and receive the salaries, as in said act provided;*" and that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Taylor, and Plummer.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, of your Committee on Judiciary, to whom was referred Senate bill No. 15, entitled "An act to repeal an act entitled 'An act creating and establishing municipal courts, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks therefor, and declaring an emergency,' approved February 28, 1891, and all acts amendatory thereof, and abolishing the courts and offices thereby created," have had the same under consideration, and do respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

We do further report and recommend the passage of the following as "committee bills."

1. Entitled "An act relating to municipal courts, fixing salaries of judges and clerks thereof," etc.

2. Entitled "An act relating to justices of the peace and constables in

cities having more than twenty thousand inhabitants, and fixing their number and salaries."

3. Entitled "An act to amend an act entitled 'providing for changes of venue,' etc., amending section 1468 of volume 2 of Hill's Code," etc.

Respectfully submitted.

S. WARBURTON.

R. C. WASHBURN.

FRANK P. LEWIS.

Senator Lewis moved that the last preceding report on Senate bill No. 15 be substituted for the first.

Senator Wilson moved to amend by laying the bill and reports on the table.

The amendment was carried, and the motion, as amended, prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 148, entitled "An act for the regulating of the sale of property under execution and decrees," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill herewith be made a substitute therefor, and that the original bill be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Dorr, Wilson, and Warburton.

On motion of Senator Taylor, the above, Senate bill No. 148, was placed on general file.

The following resolution was introduced by Senator Taylor:

Resolved, That J. C. Fairchild be employed as clerk for the Committee on Public Revenue and Taxation.

Senator Lewis moved as an amendment to the resolution, that the name of Frank Twitchell be substituted for the name of J. C. Fairchild.

The amendment was lost.

On motion of Senator Taylor, the resolution was adopted.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 19, 1897.

The Honorable, the Senate of the State of Washington:

GENTLEMEN—Herewith I transmit to your honorable body a list of nominations and submit them for your confirmation:

J. H. Morgan of Ellensburg, to succeed J. G. Lawrence of North Yakima, on the state board of education.

Carrie Shaw Rice of Tacoma, to succeed K. S. Bingham of Tacoma, on the state board of education.

J. B. Walker of Spokane to succeed R. C. Kerr of Walla Walla, on the state board of education.

W. J. Hughes of Fairhaven, to succeed J. M. Taylor of Seattle, on the state board of education.

These appointments are to be effective the first Monday in March, 1897. Very respectfully, J. R. ROGERS, Governor.

On motion of Senator Dorr, the communication was ordered printed.

The secretary read the following message from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The speaker of the House has appointed the following named gentlemen as the committee to be appointed as per House concurrent resolution No. 11, relating to advertising for bids for suitable office room for the officers of the state for the ensuing four years, to wit: W. L. Freeman, D. Mitchell, and J. H. Marshall.

S. P. CARUSI, Chief Clerk.

Senator Dorr moved that the rules be suspended, and all bills on the secretary's desk received.

The motion was carried.

INTRODUCTION OF BILLS.

Senate bill No. 233, by the Committee on Judiciary: An act to amend section 1443 of the Code of Washington of 1881, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, and in regard to settlement of estates of decedents.

The bill was read the first time; and, on motion of Senator East-day, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 234, by the Committee on Judiciary: An act regulating the sale of real property on decrees of foreclosure and executions.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 235, by Senator Crow: An act to amend section

4 of an act passed by the legislature and approved by the governor March 20, 1895, entitled "An act authorizing actions against the state."

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 236, by Senator High: An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to state board of health.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 237, by Senator Lesh: An act for the prevention and suppression of forest fires, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 238, by Senator McReavy: An act amending section 62 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to the taking of saw logs or timber without permission.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Commerce.

Senate bill No. 239, by the Committee on State Penal and Reformatory Institutions: An act relating to improvements at the state penitentiary.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 240, by Senator Davis: An act to encourage the use of wide tires on vehicles, and to protect the public highways of the state, and improve the same, by regulating the width of tires upon wagons made for carrying heavy burdens, and providing a penalty for violating the provisions thereof, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 241, by Senator Baum: An act regulating the killing and slaughtering of horned cattle, providing for the keeping of their hides and ears, and providing a penalty for the neglect or refusal so to do.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 242, by Senator T. J. Miller: An act for the relief of the Capital City Abstract and Title Insurance Company.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 243, by Senators Warburton, Washburn and Lewis: An act relating to justices of the peace and constables in cities having more than twenty thousand inhabitants, and fixing their number and salaries.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 244, by Senators Warburton, Washburn and Lewis: An act relating to municipal courts; fixing salaries of judges and clerks thereof, and giving jurisdiction in actions removed by change of venue from justices of the peace.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 245, by Senators Warburton, Washburn and Lewis: An act to amend an act entitled "An act providing for changes of venue from justices of the peace," the same being section 1468, volume 2 of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate joint resolution No. 20, by Senator McReavy: An act relating to lands granted to the state by the congress of the United States.

The resolution was read the first time; and, on motion of Senator Crow, the rules were suspended, the resolution read the second time

by title, and referred to the Committee on State Granted, School and Tide Lands.

The president announced that the time had arrived for the consideration of Senate memorial No. 4, by Senator High: Relating to agriculture.

The memorial was read the third time.

Senator Wilson offered the following amendment: Strike out all of the memorial after the word "respectfully" in line 2 of the printed memorial, and insert in lieu thereof the following, "recommend that bounties be granted for agricultural exports to the fullest extent compatible with the protection of all the interests of our people and consistent with an economic administration of our national finances."

Senator High moved to amend the amendment by striking out all of the memorial from the tenth to the sixteenth paragraph, inclusive.

On motion of Senator Lewis, at 12:05 o'clock P. M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Plummer and Runner, who were excused.

Senate memorial No. 4, by Senator High, "Relating to agriculture," which was under consideration at the time of adjournment of the morning session, was again taken up.

The amendment by Senator High to the amendment offered by Senator Wilson was adopted, and the original amendment, as amended, prevailed.

On motion of Senator High, the memorial was placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill,

Houghton, Keith, Lesh, McReavy, Megler, Miller David, Paul, Pusey, Range, Rinehart, Van Patten, Washburn, and Wooding — 25.

Those voting nay were: Senators Harper and Warburton — 2.

Absent or not voting: Senators Lewis, Miller T. J., Plummer, Runner, Taylor, Wilson, and Yeend — 7.

The following resolution was introduced by Senator Baum:

WHEREAS, The session of the present legislature is drawing to a close, and many bills are pending requiring action, some of which are of greater importance to the state than others, and as it is impossible that all should receive proper attention: therefore, be it

Resolved, That a committee of five be appointed by the president, whose duty it shall be to select such bills as are of the greatest importance, and advance them on the calendar on and after Monday next, that they may be acted on promptly.

Senator Crow moved to amend the resolution by increasing the number of members of the committee to seven.

The amendment was lost.

On motion of Senator Baum, the resolution was adopted.

Senator McReavy introduced the following resolution:

WHEREAS, Senate bill No. 51, providing for a constitutional amendment granting suffrage to women, has been made a special order for Thursday, February 25th, at 2 o'clock P. M.; and

WHEREAS, Several prominent ladies of this state have expressed the wish that one of their number might be accorded the privilege of addressing the Senate on that occasion:

Resolved, That the ladies favoring equal suffrage be invited to select one of their number to address the Senate on the merits of said bill at said hour.

Senator Lesh moved to amend the resolution by limiting the time which is allowed the speaker to one hour and forty minutes.

Senator Cole moved to amend the amendment by inviting the ladies to address the members of the Senate at a meeting to be held on the evening of February 24, 1897.

Senators McReavy, Davis and Keith moved the previous question.

The motion was carried.

The amendment to the amendment was lost by the following vote: Yeas 12, nays 19, absent or not voting 3.

Those voting yea were: Senators Cole, Crow, Easterday, Harper, Hill, Keith, Megler, Miller David, Paul, Taylor, Van Patten, and Yeend — 12.

Those voting nay were: Senators Davis, Deckebach, Dorr, Field, Frink, Hall, High, Houghton, Lesh, Lewis, McReavy, Miller T. J., Pusey, Range, Reinhart, Warburton, Washburn, Wilson, and Wooding — 19.

Absent or not voting: Senators Baum, Plummer, and Runner—3.

The amendment of Senator Lesh was lost.

The resolution failed of adoption by the following vote: Yeas 11, nays 19, absent or not voting 4.

Those voting yea were: Senators Field, High, Hill, Lewis, Miller T. J., Paul, Pusey, Range, Reinhart, Wilson, and Wooding — 11.

Those voting nay were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Frink, Hall, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Taylor, Van Patten, Warburton, Washburn, and Yeend — 19.

Absent or not voting: Senators Baum, Harper, Plummer, and Runner — 4.

Senator McReavy gave notice that he would move to reconsider the vote by which the preceding resolution failed of adoption.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 103, by Senator Yeend, An act entitled "An act to amend sections 12 and 13 of an act entitled 'An act to define, regulate and govern the state penitentiary,' and declaring an emergency," amended as follows, to wit: Line 1, in section 13, amendment by Mr. Marshall, "that salary of clerk be made to read 'eight hundred dollars,'" and the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 16, by Senator Easterday, An act entitled "An act to amend sections 1075 and 1076 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payments of debts of decedents," amended as follows: In line 3, section 2, strike out the words "mortgages and judgments," and insert in lieu thereof the words "a mortgage or judgment;" also, in line 4, section 2, strike out the word "mortgages," and insert in lieu thereof the words "such mortgage," and the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 13, by Senator Easterday, An act relating to assignments and satisfactions of mortgages, as amended by striking out the word "from," in line 7 in section 1, and inserting therefor the word "of," and the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 13, entitled "An act to amend section 23 of an act entitled 'An act in relation to garnishments,' approved March 8, 1893," and the same is hereby sent to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 13.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The House has passed House bill No. 519, by the Judiciary Committee, entitled "An act to provide for the punishment of recalcitrant witnesses before committees appointed by the legislative bodies of the State of Washington, or either of them, and declaring an emergency," and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 146, entitled "An act to amend section 227 of volume 2, Penal Code of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters," and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

The House has passed House bill No. 417, by the Railroad Committee, entitled "An act to establish and fix reasonable maximum rates of charges for the transportation of freight by railroad companies and other common carriers doing business in the State of Washington, and to correct abuses and to prevent and prohibit discrimination by railroad companies and other common carriers doing business in the State of Washington against persons, firms, companies, corporations and localities in the matter of said rates and facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and providing for penalties by fine or imprisonment, or both such fine and imprisonment, for a failure to observe the rates and regulations and prohibition so es-

tablished and fixed as aforesaid, and providing a method for determining the reasonableness of said rates and regulations."

On motion, the rules were suspended, and the bill be transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

Senator Range presented a resolution adopted at a mass meeting of the citizens of Seattle endorsing and praying for the enactment into law of House bill No. 255.

On motion of Senator Range, it was referred to the Committee on Public Morals.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred memorial No. 4, to the congress of the United States, have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

Concurrent resolution No. 21, by Senator Taylor, was introduced, as follows:

Resolved by the House, the Senate concurring, That the secretary of state is hereby directed to cause to be printed two thousand copies of the Session Laws of 1897, to be distributed as provided by law, the remaining copies to be turned over to the state auditor, to be sold at a price not in excess of ten per cent. above the cost price thereof.

Also, for free distribution by the secretary of state, to be printed and bound in pamphlet form, two thousand copies of the revenue laws; two thousand copies of the school laws; three thousand copies of the election laws; two thousand copies of the road laws; one thousand copies of the state, granted and school land laws: *Provided,* That no extra compensation shall be charged for composition for any of the aforesaid publications or special laws of such matter as is used for the printing of said session laws.

On motion of Senator Dorr, the resolution was laid on the table.

The president announced that the time had arrived for the consideration of Senate bill No. 69, by Senator Houghton: An act for the relief of the widow of H. C. Ashenfelter, deceased.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider the preceding Senate bill, No. 69.

The bill was considered in the committee, Senator Crow in the

chair, and reported back to the Senate with the following amendment: In lines 2 and 4 of the printed bill strike out the words "seven thousand five hundred seventy-four and 1/100," and insert in lieu thereof the words "three thousand seven hundred fifty-one and 1/100;" also strike out the figures "7,574.54," in lines 3 and 5 of the printed bill and insert in lieu thereof the figures "3,751.25."

The bill was read the third time by sections.

On motion of Senator Range, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 20, nays 10, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Range, Reinhart, Warburton, and Washburn — 20.

Those voting nay were: Senators Cole, Easterday, High, Hill, Lewis, Miller David, Taylor, Van Patten, Wilson, and Yeend — 10.

Absent or not voting: Senators Plummer, Pusey, Runner, and Wooding — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Easterday moved that the Senate concur in the House amendments to Senate bill No. 13: An act in regard to assignments and satisfaction and cancellation of mortgages.

The motion was carried by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Davis, Deckebach, Houghton, Lesh, Plummer, Pusey, and Runner — 7.

Senator Easterday moved that the Senate concur in the House amendments to Senate bill No. 16, An act to amend sections 1075 and 1076 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents.

The motion was carried by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Dorr, East-
erday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis,
McReavy, Megler, Miller David, Miller T. J., Paul, Range, Rein-
hart, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend
— 26.

Nays: None.

Absent or not voting: Senators Davis, Deckebach, Keith, Lesh,
Plummer, Pusey, Runner, and Van Patten— 8.

On motion of Senator McReavy, at 4:40 o'clock P. M. the Senate
adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 24, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M.,
pursuant to adjournment.

The secretary called the roll; all members being present, except
Senator Davis, who was excused.

Senator Keith moved that the reading of the journal of yester-
day be dispensed with, and the journal approved.

The motion was lost.

The journal was read and approved.

On motion of Senator Cole, Senate bill No. 148, by Senator Cole,
an act for the regulating of the sale of property under execution
and decrees, was made a special order for Friday, February 26,
1897, at 2 o'clock P. M.

Unanimous consent was given for Senator Crow to introduce
Senate memorial No. 7, by Senator Crow, relating to land granted
by congress to the Northern Pacific Railroad.

The memorial was read the first time; and, on motion of Senator

Crow, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

The following resolution was introduced by Senator T. J. Miller:

Resolved, That none but members of the legislature and employes be admitted to the rooms at the rear of the Senate chamber, and the sergeant-at-arms is directed to strictly enforce this rule.

The resolution was adopted.

The following resolution was introduced by Senator McReavy:

Resolved, That Dudley Eshelman, secretary of Senate, be authorized to have the copy of the Senate Journal prepared for the printer and a suitable index prepared, and that he be allowed for said work the amount allowed for that purpose in the general appropriation bill. The state auditor to issue a warrant for one-half the amount when the printer's receipt for the copy is filed in his office and the balance when the state printer shall certify that the reading of proof on the journal and index has been completed and the same found to be correct.

Senator Plummer moved to adopt the resolution.

Senator Dorr moved as an amendment that it be referred to the Committee on Printing.

The amendment was carried, and the motion, as amended, prevailed.

The secretary read a resolution adopted at a meeting of the Y. P. S. C. E. of the First Christian Church of Olympia, praying for the enactment into law of House bill No. 255.

Senator Wooding presented a petition, signed by G. M. Parsons and 122 other citizens of South Seattle, praying for the enactment into law of the same bill.

The resolution and petition were referred to the Committee on Public Morals.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON EDUCATIONAL INSTITUTIONS.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 161, entitled "An act abolishing the state normal schools at Cheney and New Whatcom," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, as amended.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report:

J. A. COLE.

J. C. VAN PATTEN.

Not concurring:

J. M. FRINK.

Senator David Miller moved to adopt the report.

Senator Van Patten moved to amend by laying it on the table.

The amendment was carried, and the motion as amended prevailed.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 69, entitled "An act for the relief of the widow of H. C. Ashenfelter," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. C. MEGLER, Chairman.

I concur in this report:

J. A. COLE.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 222, entitled "An act to prevent the confiscation, by means of fines and otherwise, of the wages of minors employed by firms and corporations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

In line 4 of section 2 of the printed bill, strike out the word "five," and insert the word "one;" also strike out the figure "5," and insert the figure "1," making the fine read "one hundred (100)," etc.

Strike out all after the word "dollars" in line 4 of section 2.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

THOS. J. MILLER.

DAVID MILLER.

J. C. VAN PATTEN.

C. W. DORR.

F. M. BAUM.

On motion of Senator T. J. Miller, the report was adopted.

REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 24, entitled "An act relating to negligence," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting after the word "corporation," in line 1 of section 1, the following

words, "employing ten or more persons." And that, as so amended, it pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

I concur in this report:

JOHN WOODING.

Senator Wooding moved to adopt the report.

The motion was lost.

On motion of Senator Dorr, the above Senate bill, No. 24, was placed on general file.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 134, Relating to proceedings in probate, have had the same under consideration, and respectfully report the same back to the Senate, with the recommendation that it be amended as follows. In section 4, line 3, of the printed bill, strike out the word "may" and insert in lieu thereof the word "shall;" after the word "made," in the same line, insert the words "in the same manner as summons is served in the superior courts," and strike out all of the said section after the word "made" in said line 3.

In section 11, line 11, of the printed bill, strike out all after the word "manner" and insert in lieu thereof the words "as summons is served in civil actions in the superior courts."

In section 12, line 5, of the printed bill, strike out the words "setting aside" and insert in lieu thereof the word "revoking."

In section 14, lines 6 and 7, of the printed bill, strike out the words "on the civil side of the court" and insert in lieu thereof the words "in a civil action."

In section 15, line 11, of the printed bill, strike out the word "claimed" and insert in lieu thereof the words "whose appointment is asked."

In section 20, line 6, strike out the words "three (3)" and insert in lieu thereof the words "four (4)."

In section 21, line 3, of the printed bill, strike out the words "three (3)" and insert in lieu thereof the words "four (4);" in line 9 of the same section, strike out the words "to that time" and insert in lieu thereof the words "to one year."

In section 28, line 4, of the printed bill, after the word "full," insert the words "and verified;" in the next line, strike out the words "three (3)" and insert in lieu thereof the words "four (4)."

And that as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Lewis, Wilson, and Warburton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 195, entitled "An act relating to competency of jurors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Taylor, and Houghton.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 232, entitled "An act establishing a board of pardons and defining its duties, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Warburton, Lewis, and Wilson.

REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 135, entitled "An act for the protection of persons working in coal mines, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting the following words after the first word "split," in line 9 of section 4: "*Provided*, That where the inspector gives permission in writing a greater number than seventy-five men, but not to exceed one hundred men, may be employed in each of said splits: *Provided also*, That in all mines already developed, where in the opinion of the mining inspector the system of splitting the air cannot be adopted except at extraordinary or unreasonable expense, such mine or mines will not be required to adopt said split air system, and the owner or operator of any coal mine shall have the right to appeal from any order requiring the air to be split, to the examining board provided for in section 1 of this act, and said board shall, after investigation, confirm or revoke the orders of the mine inspector;" and that the bill do pass as so amended.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report:

D. E. LESH.

E. C. KEITH.

V. A. PUSEY.

J. A. DAVIS.

W. B. FIELD.

On motion of Senator Baum, the report was adopted.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 99, entitled "An act to provide for the better protection of railway switches," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Strike out section 2 of the printed bill.

In line 1 of section 3 strike out the figure "3" and insert the figure "2" in lieu thereof.

In line 2 of the last section, after the word "shall," strike out "in addition to the penalties prescribed in this act."

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

THOS. J. MILLER.

J. C. VAN PATTEN.

DAVID MILLER.

C. W. DORR.

F. M. BAUM.

On motion of Senator Crow, the report was adopted.

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred House bill No. 246, entitled "An act fixing maximum rates of wharfage that may be charged, prescribing penalties, and regulating travel over docks and wharves in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

S. D. REINHART, Chairman.

We concur in this report:

JOHN MCREAVY.

AUGUSTUS HIGH.

On motion of Senator Wilson, the above House bill No. 246, was placed on general file.

REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 137, entitled "An act to provide for the registration of voters in all school elections, in school districts having a population of

ten thousand or more inhabitants, and regulating elections in such districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. M. FRINK.

J. A. DAVIS.

On motion of Senator Plummer, the above House bill No. 137, was made a special order for to-morrow, at 10 o'clock A. M.

REPORTS OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 81, entitled "An act creating a bureau of labor, defining its duties, and appropriating money for its maintenance," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report:

JOHN WOODING.

THOS. J. MILLER.

On motion of Senator Wooding, the above House bill No. 81 was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 102, entitled "An act to regulate the labor of railway employes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report:

JOHN WOODING.

THOS. J. MILLER.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1897.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 225, entitled "An act to establish the number of hours to constitute a day's work on all state, county and municipal work," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report:

JOHN WOODING.

THOS. J. MILLER.

On motion of Senator Range, the above House bill No. 225 was placed on general file.

Senator Keith moved that Senate bill No. 227, "An act to adopt and establish a code of the Laws of the State of Washington," be considered on the calendar.

The motion was carried.

House bill No. 519, by the Committee on Judiciary: An act to provide for the punishment of recalcitrant witnesses before committees appointed by the legislative bodies of the State of Washington, or either of them, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and placed on general file.

Senator Dorr moved that the rules be suspended, and that all bills introduced to-day be received.

The motion was carried.

INTRODUCTION OF BILLS.

Senate bill No. 246, by Senator Van Patten: An act relating to appeals by cities and towns in cases involving a violation of a city or town ordinance.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 247, by Senator Cole: An act to provide for the election of a clerk of the supreme court of the State of Washington, fixing his term of office and compensation, prescribing the duties of said office, and providing for the filling of vacancies therein.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Privileges and Elections.

Senate bill No. 248, by Senator Plummer: An act for the relief of Moffatt brothers.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 249, by Senator Plummer: An act amending section 974 of the second volume of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

The motion was lost.

On motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 250, by Senator David Miller: An act for the relief of George W. Babcock.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 251, by Senator Range: An act to protect the health of miners.

The bill was read the first time. Senator Range moved that the rules be suspended, the bill read the second time by title, and placed on general file.

Senator Lesh moved to amend by referring it to the Committee on Mines and Mining.

The amendment was carried, and the motion, as amended, prevailed.

Senate bill No. 252, by Senator T. J. Miller: An act relating to the disposition of moneys received from the United States for the support of the soldiers' home of the State of Washington, and repealing an act entitled "An act authorizing the state treasurer to receive from the United States any sum of money for the benefit of the Washington state soldiers' home, under the provisions of the act of congress approved August 27, 1888, entitled 'An act to provide aid for state or territorial homes for the support of disabled soldiers and sailors of the United States,' and declaring an emergency," approved February 20, 1893.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 253, by Senator Plummer: An act to regulate the hours of the state librarian during the recess of the supreme court.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Library.

Senate bill No. 254, by Senator Dorr: An act to regulate the affairs of the inhabitants of the State of Washington.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

The secretary read a petition from the Ladies' Single Tax club of Seattle, signed by the president, secretary and 309 members, praying for the enactment of a law raising the age of consent to 18 years.

On motion of Senator Dorr, the petition was referred to the Committee on Public Morals.

The Committee on Enrolled Bills submitted the following reports:

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 6, entitled "An act amending section 28 of the Penal Code of the State of Washington, relating to the crime of rape," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 6.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 131, entitled "An act for the relief of the members of the electoral college," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 131.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 153, by the Judiciary Committee, an act entitled "An act to amend section 2776 of the Code of 1881,

relative to the duties of coroner when sheriff is incapacitated," and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

The House has refused to concur in Senate amendments to House bill No. 17, entitled "An act to amend an act entitled 'An act to amend section 6 of an act entitled "An act to prescribe the duties and fix the compensation of the reporter of the supreme court," approved December 20, 1889, and declaring an emergency,' approved February 26, 1891, and declaring an emergency," and respectfully asks for a committee of conference on same, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

Senator Baum moved that the Senate refuse to recede from its amendments to House bill No. 17, "An act to amend an act entitled 'An act to amend section six (6) of an act entitled "An act to prescribe the duties and fix the compensation of the reporter of the supreme court," approved December 20, 1889, and declaring an emergency,' approved February 26, 1891, and declaring an emergency," and that a conference committee of three members be appointed.

The motion was carried.

Senator Yeend moved that the Senate refuse to concur in the House amendments to Senate bill No. 103, "An act to amend sections 12 and 13 of an act entitled 'An act to define, regulate and govern the state penitentiary, and declaring an emergency,' approved March 9, 1891."

The motion was carried.

The secretary was instructed to notify the House immediately.

GENERAL FILE.

House bill No. 278, by Mr. Ames (by request): An act subjecting the franchises of private corporations to sale upon execution and upon order of sale under foreclosure of mortgage.

On motion of Senator Wilson, the consideration of the bill was deferred until later.

House bill No. 51, by Mr. Witt: An act regulating the sale of jute fabrics and brick at the state penitentiary.

Senator Yeend moved that the bill be indefinitely postponed.

On motion of Senator Yeend, at 12 o'clock M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator McReavy.

The secretary read a communication from Puget Sound Lodge No. 196 of the Brotherhood of Railway Trainmen, protesting against the railroad bills now pending before the Senate.

On motion of Senator Baum, the communication was referred to the Committee on Corporations other than Municipal.

The secretary read the following report of standing committee:

REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 19, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 227, entitled "An act to adopt and establish a code of the laws of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

W. B. FIELD.

V. A. PUSEY.

On motion of Senator Keith, the above Senate bill No. 227 was made a special order for to-morrow at 2:30 o'clock P. M.

The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 6, entitled "An act amending section 28 of the Penal Code of the State of Washington, relating to the crime of rape."

Also, Senate bill No. 131, an act entitled "An act for the relief of the members of the electoral college."

And the same are herewith returned. S. P. CARUSI, Chief Clerk.

On motion of Senator Van Patten, Senate bill No. 52, by Senator Van Patten, "An act to confer certain powers upon certain benevo-

lent or charitable corporations, incorporated under the laws of Washington, in relation to the control and disposition of homeless, neglected or abused children," was made a special order for tomorrow at 3 o'clock P. M.

On motion of Senator T. J. Miller, House bill No. 317 (substitute for House bill No. 80) by Mr. C. P. Bush, "An act to provide for voting on an amendment to section (1) one of article (2) two of the constitution of the State of Washington, embodying the right of direct legislation by the people," was made a special order for Tuesday, March 2, 1897, at 2:30 o'clock P. M.

House bill No. 27, which was under consideration at the time of adjournment of the morning session, was again taken up.

Senator Crow moved to amend the motion to indefinitely postpone the bill, by laying it on the table.

The amendment was carried, and the motion as amended, prevailed.

INTRODUCTION OF BILLS.

Senate bill No. 255, by Senator Warburton: An act amending an act entitled "An act to authorize counties, cities and towns to issue bonds to fund their outstanding indebtedness, and to provide for the levy and collection of a specific tax to pay the principal and interest on such bonds, and declaring an emergency," approved March 22, 1895, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 256, by Senator Frink: An act in relation to manual training schools, and providing for the maintenance, control and regulation thereof.

The bill was read the first time; and, on motion of Senator Frink, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 257, by Senator Houghton: An act to amend section 6 of an act entitled "An act to prevent and punish gambling," approved November 13, 1879.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 258, by Senator Megler: An act for the protec-

tion of sturgeon in the waters of the Columbia river and its tributaries.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

On motion of Senator Yeend, Senate bill, No. 86, by Senator Yeend, An act to amend an act entitled "An act to amend section 5 of an act entitled 'An act appropriating money for the purchase of material and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary,' approved March 20, 1895," was taken from the table.

The bill was read the third time by sections.

On motion of Senator Yeend, section 1 was amended as follows: After the word "consumers," in line 5 of the printed bill, insert the words "who are residents of the State of Washington;" after the word "clerk," in line 7 of the printed bill, insert the following: "*Provided*, That when a surplus of jute and other fabrics and brick shall exist after such sale as provided in this section, it shall be within the power and discretion of the board of directors and warden to sell said surplus outside of the State of Washington."

On motion of Senator Range, the bill was referred to the Committee on Engrossed Bills.

President Daniels announced that he had appointed Senators Baum, Range and Dorr as the committee to confer with a like committee from the House in regard to the differences between the two houses arising from the refusal of the House to concur in the Senate amendments to House bill No. 17.

President Daniels administered the oath of office to J. C. Fairchild, clerk of the Committee on Public Revenue and Taxation.

On motion of Senator Keith, the Senate resolved itself into the committee of the whole to consider Senate bill No. 162, by the Committee on Education (substitute for House bill No. 111): An act to permit farmers, gardeners and manufacturers to dispose of the products of their labor.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate with the following amendments: In line 2 of the printed bill, strike out the words "between the hours of five A. M. and six P. M.;" after the word "defined," in line seven of the printed bill, insert the following: "*Provided*,

That this act shall not prohibit the sale or delivery of dairy products on Sunday."

The bill was read the third time, as amended; and, on motion of Senator Range, as amended by Senator Keith, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 5, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Hall, Harper, High, Hill, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, Wooding, and Yeend — 25.

Those voting nay were: Senators Deckebach, Frink, Houghton, Plummer, and Washburn — 5.

Absent or not voting: Senators Crow, McReavy, Paul, and Warburton — 4.

The emergency clause failed of passage by the following vote: Yeas 14, nays 14, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Field, Hill, Keith, Lesh, Lewis, Miller David, Miller T. J., Paul, Pusey, Range, Reinhart, and Van Patten — 14.

Those voting nay were: Senators Davis, Deckebach, Dorr, Easterday, Frink, Hall, Harper, High, Megler, Plummer, Runner, Washburn, Wilson, and Wooding — 14.

Absent or not voting: Senators Crow, Houghton, McReavy, Taylor, Warburton, and Yeend — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 244, by Mr. Parker: An act establishing legal rate of interest, and to prevent usury.

The bill was read the third time by sections.

On motion of Senator Van Patten, section 1 was amended by striking out the word "shall" in line 1 of the printed bill, and inserting in lieu thereof the word "may."

Senator Reinhart moved to strike out the word "six" in line 3 of the printed bill, and insert in lieu thereof the word "four."

The motion was lost.

On motion of Senator Reinhart, the word "six" in line 2 of the printed bill was stricken out, and the word "five" inserted in lieu thereof.

On motion of Senator T. J. Miller, the bill was recommitted to the Committee on Commerce.

House bill No. 107, by Mr. Hicks: An act to prohibit capital punishment in the State of Washington, and declaring an emergency.

The bill was read the third time by sections.

Senator Dorr moved that it be indefinitely postponed.

Senator Wilson moved to amend by laying it on the table.

The amendment was carried, and the motion, as amended, prevailed.

House bill No. 25, by Mr. de Mattos: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the jurisdiction and powers of the supreme court.

On motion of Senator Plummer, the bill was referred to the Committee on Judiciary.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 23, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 146, amending section 227, volume 2 of Hill's Annotated Code, in relation to the discharge of ballast in navigable waters of this state.

Very respectfully, J. E. BALLAINE, Private Secretary.

The Committee on Enrolled bills submitted the following reports:

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 13, entitled "An act relating to assignments and satisfaction of mortgages," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 13.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 16, entitled "An act to amend sections 1075 and 1076 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 16.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 153, entitled "An act to amend section 2776 of the Code of 1881, relating to the duties of the coroner when the sheriff is incapacitated," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

JOHN I. YEEND.

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 153.

The following resolution was introduced by Senator Wilson:

WHEREAS, The governor, in his inaugural address, urged that it was of the utmost importance that an investigation be made of the management of the affairs of the state penitentiary; and

WHEREAS, The governor, in his recent message to this body, stated that a large volume of evidence had come into his possession showing the necessity of such investigation; and

WHEREAS, This body should have before it all available information relating to said penitentiary to the end that legislation may be enacted with reference to the management of the same that will prevent future abuses and irregularities: now, be it

Resolved, That the governor be and he is hereby requested to furnish to this body, during the present week, any and all information which he may have at hand with reference to said penitentiary and referred to by him in his said message.

Senator High moved to amend the resolution by striking out the words "this body during the present week," and insert in lieu thereof the words "the investigating committee at the proper time."

Senator Plummer moved to lay the amendment on the table.

The motion was lost by the following vote: Yeas 10, nays 22, absent or not voting 2.

Those voting yea were: Senators Cole, Davis, High, Houghton, Keith, Paul, Plummer, Runner, Taylor, and Yeend — 10.

Those voting nay were: Senators Baum, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Lesh, Lewis, Megler, Miller David, Miller T. J., Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, Wilson, and Wooding — 22.

Absent or not voting: Senators Crow and McReavy — 2.

Senators Davis, David Miller and T. J. Miller moved the previous question.

The motion was carried.

The amendment of Senator High was adopted by the following vote: Yeas 17, nays 14, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, High, Hill, Houghton, Keith, Miller David, Miller, T. J. Paul, Plummer, Reinhart, Runner, Taylor, and Yeend — 17.

Those voting nay were: Senators Deckebach, Dorr, Frink, Hall, Lesh, Lewis, Megler, Pusey, Range, Van Patten, Warburton, Washburn, Wilson, and Wooding — 14.

Absent or not voting: Senators Crow, Harper, and McReavy — 3.

Senator Wilson moved to lay the resolution on the table.

The motion was lost by the following vote: Yeas 13, nays 18, absent or not voting 3.

Those voting yea were: Senators Deckebach, Dorr, Frink, Hall, Lesh, Lewis, Megler, Pusey, Van Patten, Warburton, Washburn, Wilson, and Wooding — 13.

Those voting nay were: Senators Baum, Cole, Davis, Easterday, Field, High, Hill, Houghton, Keith, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, and Yeend — 18.

Absent or not voting: Senators Crow, Harper, and McReavy — 3.

The resolution was adopted.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 86, entitled "An act to amend an act entitled 'An

act to amend section 5 of an act appropriating money for the purchase of material, and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. A. COLE.

On motion of Senator Plummer, at 5:10 o'clock P. M. the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 25, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of yesterday was read and approved.

On motion of Senator Harper, Senate bill No. 117, by Mr. Nelson, "An act to amend section four of an act approved March 18, 1895, entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor,' " was made a special order for this afternoon at 4 o'clock.

The following resolution was introduced by Senator High:

Resolved, That a committee of three be appointed by the president of the Senate to examine into the feasibility of lowering the scale of prices now allowed for public printing, and that said committee be instructed to report to the Senate at as early a date as possible.

The resolution was adopted.

The following resolution was introduced by Senator McReavy:

Resolved, That the sergeant-at-arms be and he is hereby instructed to provide five dollars' worth of postage stamps for each member of the Senate.

The resolution was adopted.

The president announced that the time had arrived for the consideration of House bill No. 137, by Mr. Land, "An act to provide for the registration of voters in all school elections in school districts having a population of 10,000 or more inhabitants, and regulating elections in such districts."

The bill was read the third time by sections.

On motion of Senator Lewis, section 8 was amended by inserting the words "of the board" after the word "secretary" in line 17 of the printed bill.

On motion of Senator Plummer, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 27, nays 4, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, and Yeend — 27.

Those voting nay were: Senators Houghton, Warburton, Washburn, and Wilson — 4.

Absent or not voting: Senators Deckebach, Taylor, and Wooding — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 114, entitled "An act allowing married women to act as administratrix or executrix of estates of deceased persons, and declaring an emergency," which is herewith sent to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 114.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The House has passed House bill No. 291, by Mr. Geraghty, an act entitled "An act relating to the qualifications of officers of cities and towns in this state."

Also, House bill No. 473, by Mr. Rader, an act entitled "An act providing for an amendment to section 6 of article 7 of the Constitution of the State of Washington, authorizing a system of non-interest bearing state warrants, receivable for taxes."

Also, House bill No. 113, by Mr. Wilkeson, an act entitled "An act providing for the dissolution of municipal corporations of the third and fourth classes."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The House has passed House bill No. 281, by Mr. Hansen, entitled "An act amending an act entitled 'An act exempting the proceeds of life insurance from liability for debt, and declaring an emergency,' approved March 20, 1895," and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The House has passed House memorial No. 16, by Mr. Mohundro, a memorial to congress relating to a national soldiers' home at Fort Sherman, Idaho.

On motion, the rules were suspended and the chief clerk instructed to transmit same to the Senate forthwith, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 16, entitled "An act to amend sections 1075 and 1076 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents."

Also, Senate bill No. 13, entitled "An act relating to assignments and satisfaction of mortgages."

Also, Senate bill No. 153, entitled "An act to amend section 2776 of the Code of 1881, relating to the duties of coroner when sheriff incapacitated."

And the same are herewith returned.

S. P. CARUSI, Chief Clerk.

On motion of Senator Runner, Senate bill No. 151, by Senator

Runner, An act relating to railroads, was taken from the table, and made a special order for to-morrow at 3 o'clock P. M.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate concurrent resolution No. 10, relative to retirement of greenbacks, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

I concur in this report:

JOHN I. YEEND.

MINORITY REPORT.

I, of your Committee on Memorials, recommend that the above resolution be indefinitely postponed.

Respectfully submitted.

FRANK P. LEWIS.

On motion of Senator Yeend, the majority report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 3, asking congress to establish a life saving station on coast of Washington north of Gray's Harbor, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting the words "one hundred and thirty" between the words "of" and "miles" in the fourth line of the printed memorial, and as thus amended that it do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

We concur in this report:

FRANK P. LEWIS.

JOHN I. YEEND.

On motion of Senator Yeend, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorials Nos. 1 and 2, relating to the election of United States senators by a direct vote of the people, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the memorial herewith enclosed, entitled "A memorial in relation to the election of United States senators," be substituted for the same, and that the substitute do pass.

Respectfully submitted.

W. B. FIELD, Chairman.

We concur in this report:

FRANK P. LEWIS.

JOHN I. YEEND.

On motion of Senator Yeend, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 12, regarding the claims of Wm. A. Newell, as the originator of the system of life saving service of the United States, have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

We concur in this report:

W. B. FIELD, Chairman.

FRANK P. LEWIS.

JOHN I. YEEND.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint memorial No. 11, asking that the restrictions on the Puyallup Indians, relating to the sale of their lands, be removed, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

W. B. FIELD, Chairman.

FRANK P. LEWIS.

JOHN I. YEEND.

On motion of Senator Lewis, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 8, relative to building a lighthouse and harbor at the mouth of the Quillayute river, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

W. B. FIELD, Chairman.

FRANK P. LEWIS.

JOHN I. YEEND.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint memorial No. 6, regarding Indian wars extending from 1847 to 1856, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the memorial herewith enclosed, entitled "A memorial favoring pension bill No. 2281," be substituted for the same, and that the substitute do pass.

Respectfully submitted.

We concur in this report:

W. B. FIELD, Chairman.

FRANK P. LEWIS.

JOHN I. YEEND.

On motion of Senator Lewis, the report was adopted.

On motion of Senator T. J. Miller, the rules were suspended, and the above named substitute for House memorial No. 6 placed on its final passage.

It was then passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Van Patten, Wilson, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Lesh, Paul, Pusey, Taylor, Warburton, Washburn, and Wooding — 7.

REPORTS OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 234, entitled "An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows:

Section 2, line 2 (printed bill), strike "November" and insert "December."

Section 7, insert the word "or" after "pheasant," in line 2, and in line 3 strike "first day of September," and insert "fifteenth day of August."

Section 8, line 2, strike the word "brant;" line 3 strike the word "snipe."

Section 12, line 3, strike the words "have or;" line 6 strike the word "feathered."

Section 13, line 9, strike the word "feathered."

Section 15, line 6, strike the word "further;" line 9 insert the word "further" after the word "provided."

Section 16, line 5, strike "of" and insert "or."

Section 18, line 2, strike "or" after "eggs," and insert "of."

Section 20, line 7, insert "not more than" after "of."

Section 21, line 13, strike "offense," and insert "offender."

Section 24, strike all after the words "sec. 24," and insert the following: "Sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259,

260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington are hereby repealed."

Section 25, strike the whole of section 25.

Title, make title read as follows: "An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof; vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington."

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOSEPH HILL.

J. C. VAN PATTEN.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

On motion of Senator McReavy, the preceding House bill No. 234 was made a special order for to-morrow at 2:30 o'clock P. M.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 240, entitled "An act to amend section 2 of an act entitled 'An act to prevent trespasses by sheep upon certain land in this territory, and to punish the owners of such sheep for violations of this act,' approved February 2, 1888, the same being section 87 of the Penal Code of volume 2 of Hill's Annotated Statutes and Codes of Washington, and repealing sections 1, 3 and 4 of said act, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOSEPH HILL.

J. C. VAN PATTEN.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 178, entitled "An act to amend section 4 of an act entitled 'An act regulating the manufacture of dairy produce, to prevent deception or fraud in the sale of the same or imitation thereof, providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing

certain duties upon the chemists of the state institutions, providing penalties for the violation of this law, making an appropriation and declaring an emergency,' of the Session Laws of 1895, approved March 11, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOSEPH HILL.

J. C. VAN PATTEN.

DAVID MILLER.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 168, entitled "An act to prohibit and punish the importation and sale of unwholesome dairy products within this state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

On motion of Senator Hall, the report was adopted.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 171, entitled "An act relating to negotiable papers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Houghton, and Plummer.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT.

We, your Committee on Judiciary, to whom was referred Senate bill No. 176, entitled "An act fixing the date of maturity of checks, drafts, certificates of deposits, and other evidences of indebtedness, and declaring an emergency," have had the same under consideration, and we re-

spectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Plummer and Houghton.

On motion of Senator T. J. Miller, the above Senate bill No. 176 was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 173, entitled "An act in relation to instructions to juries in civil and criminal cases," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass. The members of the committee reserve the right to suggest amendments to said bill on the passage thereof.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Warburton and Plummer.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 169, entitled "An act relating to witness fees," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Plummer, Houghton, and Warburton.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 187, entitled "An act relating to public highways, cycle paths and ways," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Warburton, and Plummer.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 18, entitled "An act to amend an act entitled 'An act relating to the duties of the state auditor, and declaring an emergency,' approved March 20, 1895, and declaring an emergency," have had the same under consid-

eration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Warburton, and Plummer.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 139, entitled "An act amending section 1 of chapter 42 of the Session Laws of 1893, relating to the liens of judgment on real estate," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Warburton, and Plummer.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 17, entitled "An act to amend sections 1, 2 and 8 of an act entitled 'An act fixing salaries of justices of the peace and constables in incorporated cities and towns having more than 5,000 inhabitants, providing for the payment thereof, and providing for clerks, office quarters, books, blanks and stationery for said offices, and declaring an emergency,'" have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Plummer and Warburton.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 135, entitled "An act in reference to executors of wills and the settlement of estates by them without administration," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Warburton and Plummer.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 100, entitled "An act amending section 4528, volume 2, Hill's Annotated Codes and Statutes of Washington, relating to redemption of real estate sold under executions and decrees," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Plummer, Warburton, and Houghton.

On motion of Senator Easterday, the above Senate bill No. 100 was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 123, entitled "An act to amend section 1399 of volume 1 of Hill's Annotated Statutes and Codes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Houghton, Plummer, and Warburton.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 184, entitled "An act to provide for the incorporation of chambers of commerce, boards of trade and other kindred associations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Plummer, and Houghton.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 205, entitled "An act to amend section 6 of an act to provide for the manner of commencing civil actions in the superior courts and bringing the same to trial," approved March 15, 1893, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Houghton, and Plummer.

On motion of Senator Davis, the above Senate bill No. 205 was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 63, entitled "An act to amend section 1449 of Hill's Annotated Statutes and Codes of the State of Washington, relating to instruments affecting real property," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Taylor, Houghton, Plummer, and Warburton.

On motion of Senator Deckebach, the above Senate bill No. 63 was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 166, entitled "An act providing for and regulating appeals to the superior court from any decision or order of the board of county commissioners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows: In section 1, line 4 of the printed bill, strike out the word "each" after the word "may;" strike out all of section 2; and that as so amended said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Houghton, and Plummer.

On motion of Senator Easterday, the report was adopted.

REPORT OF COMMITTEE ON STATE GRANTED, SCHOOL AND TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 110, entitled "An act to amend section 2, of an act entitled 'An act extending the time of payments on contracts for the sale of school lands for agricultural and grazing purposes, made under the acts of the legislature, approved March 28, 1890, and March 15, 1893, respectively, and declaring an emergency,' approved March 7, 1895, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recom-

mendation that it be indefinitely postponed and the accompanying bill substituted therefor.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

J. G. MEGLER.

D. E. LESH.

JOHN WOODING.

On motion of Senator Crow, the report was adopted.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 233, entitled "An act relating to prosecution of public offenses, etc., and amending section 1363 of Hill's Code," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out in the sixth line from the last, in the engrossed bill, the word "of" and inserting in lieu thereof the word "on;" and that as so amended said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Plummer, and Houghton.

On motion of Senator Easterday, the report was adopted.

On motion of Senator Baum, at 12 o'clock M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The president announced that the time had arrived for the consideration of Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the constitution of the State of Washington, embodying the right of woman suffrage.

On motion of Senator Wilson, the Senate resolved itself into a committee of the whole to consider the preceding Senate bill No. 51.

The bill was considered in the committee, Senator Crow in the chair, and reported back to the Senate without amendment.

The bill was read the third time by sections.

Senator T. J. Miller moved that the rules be suspended, and the bill considered engrossed.

The motion was carried.

Senator Range moved that the bill be placed on its final passage.

The motion was carried.

Senators Plummer, Keith and T. J. Miller moved the previous question.

The motion was carried.

The bill was then passed by the following vote: Yeas 24, nays 10, absent or not voting 0.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 24.

Those voting nay were: Senators Baum, Dorr, Hall, Megler, Miller David, Pusey, Warburton, Washburn, Wilson, and Wooding — 10.

Absent or not voting: None.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Deckebach gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill No. 51 was passed.

Senator McReavy moved that the Senate adjourn until 7:30 o'clock P. M.

Senator Dorr moved as an amendment that the adjournment be until to-morrow at 10 o'clock A. M.

The amendment was lost by the following vote: Yeas 12, nays 21, absent or not voting 1.

Those voting yea were: Senators Deckebach, Dorr, Frink, Harper, Lewis, McReavy, Megler, Pusey, Warburton, Washburn, Wilson, and Wooding — 12.

Those voting nay were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, Lesh, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 21.

Absent or not voting: Senator Hall.

The original motion was lost.

The president announced that the time had arrived for the con-

sideration of Senate bill No. 227, by the Committee on Education: An act to adopt and establish a code of the laws of the State of Washington.

The bill was read the third time by sections.

Senator Keith moved that the bill be recommitted to the Committee on Education.

Senator Taylor moved as an amendment that it be referred to the Committee on Judiciary.

The amendment was carried, and the motion, as amended prevailed.

Unanimous consent was given for Senator Keith to introduce Senate bill No. 259, by Senator Keith: An act prohibiting the maintenance, construction and use of fixed appliances and seines for the catching of salmon and other food fishes in certain waters and in parts of certain waters of the State of Washington, and regulating the licensing and use of the same in certain other of the waters of said state, including the Columbia river, and for the licensing of gill nets and drift nets, and providing for the disposition of the funds arising therefrom, and repealing an act of the legislature of the State of Washington, approved March 10, 1893, entitled "An act regulating fish traps, pound nets, weirs, set nets, fish wheels or other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries, and Puget Sound; for providing for the licensing thereof and the disposition of the funds arising therefrom, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

House bill No. 262, by Mr. Williams: An act providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of cities of the first class, prescribing the conditions under which the same may hereafter be disposed of, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 257, by Mr. Williams: An act providing for the correction and revision of a portion of the plat of Seattle tide lands, and an appraisement of the lots in the portion so revised and cor-

rected; authorizing and prescribing the manner of re-adjustment of existing rights in accordance therewith, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 417, by the Committee on Railroads: An act to establish and fix reasonable maximum rates of charges for the transportation of freight by railroad companies and other common carriers doing business in the State of Washington, and to correct abuses and to prevent and prohibit discrimination by railroad companies and other common carriers doing business in the State of Washington against persons, firms, companies, corporations and localities in the matter of said rates and facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and providing for penalties by fine or imprisonment, or both such fine and imprisonment, for a failure to observe the rates and regulations and prohibition so established and fixed as aforesaid, and providing a method for determining the reasonableness of said rates and regulations, making an appropriation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 97, entitled "An act in relation to and to prevent the introduction or spread of disease among sheep, and declaring an emergency," and the same is sent herewith to the Senate, for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bill No. 97.

MR. PRESIDENT:

The House has passed House bill No. 257, by Mr. Williams, entitled "An act providing for the correction and revision of a portion of the plat

of Seattle tide lands, and an appraisement of the lots in the portion so revised and corrected, authorizing and prescribing the manner of readjustment of existing rights in accordance therewith, and declaring an emergency."

On motion, the rules were suspended, and the chief clerk instructed to transmit same to the Senate forthwith, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The House has passed House bill No. 262, by Mr. Williams, entitled "An act providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of cities of the first class, prescribing the conditions under which the same may hereafter be disposed of, and declaring an emergency."

On motion, the rules were suspended, and the chief clerk instructed to transmit same to the Senate forthwith, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

The House has passed House bill No. 371, by Mr. de Mattos, An act to fix the fees to be collected by the secretary of state in relation to corporations, and declaring an emergency.

On motion, the rules were suspended, and the chief clerk instructed to transmit same to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

The president announced that the time had arrived for the consideration of Senate bill No. 52, by Senator Van Patten, An act to confer certain powers upon certain benevolent or charitable corporations, incorporated under the laws of Washington, in relation to the control and disposition of homeless, neglected or abused children.

The bill was read the third time by sections.

Senator Davis moved that it be indefinitely postponed.

Senator Keith moved as an amendment that it be referred to the Committee on Judiciary.

The amendment was carried, and the motion, as amended, prevailed.

The president announced that he had appointed Senators High, Washburn and Cole as the committee to examine into the feasibility of lowering the scale of prices now allowed for public printing, provided for in a resolution previously introduced by Senator High.

On motion of Senator Warburton, at 5:15 o'clock P. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 26, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senator Davis, who was excused, and Senators Baum and Paul.

The journal of yesterday was read and approved.

On motion of Senator Plummer, House bill No. 81, by Mr. Land, "An act creating a bureau of labor statistics, defining its duties," etc., was made a special order for to-morrow, at 10 o'clock A. M.

On motion of Senator Harper, House bill No. 117, by Mr. Nelson, "An act to amend section 4 of an act approved March 18, 1895, entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor,'" was made a special order for this afternoon at 4 o'clock P. M.

Senator Megler presented a petition from Ilwaco Lodge No. 71, I. O. G. T., praying for the enactment into law of the bill known as the "Cline dispensary bill."

On motion of Senator Yeend, the petition was referred to the Committee on Public Morals.

Senator Crow presented a petition signed by John M. Reed and ninety-eight other citizens of Oakdale, Washington, praying for the enactment into law of House bill No. 255.

On motion of Senator Hall, the petition was referred to the Committee on Public Morals.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 237, entitled "An act for the prevention and suppression of forest fires, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

V. A. PUSEY.

D. E. LESH.

W. B. FIELD.

L. C. CROW.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 250, entitled "An act for the relief of Geo. W. Babcock," have had the same under consideration, and we respectfully report the following substitute, and recommend that it pass.

Respectfully submitted.

We concur in this report:

J. W. RANGE, Chairman.

R. C. WILSON.

L. C. CROW.

The report was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate No. 162, entitled "An act to permit farmers, gardeners and manufacturers to dispose of the products of their labor," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

We concur in this report:

J. G. MEGLER, Chairman.

J. A. COLE.

J. W. RANGE.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 43, entitled "An act for the relief of Snohomish county," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

L. C. CROW.

S. WARBURTON.

R. C. WILSON.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of J. Benson Starr, for stationery and supplies, \$170.71, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

L. C. CROW.

S. WARBURTON.

On motion of Senator T. J. Miller, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bills of Bilger & Going, for sundries, 65 cents; Allan Muirhead, for wood, \$7.50; F. M. Canaday, partition and repairs in committee room, \$26.60, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

S. WARBURTON.

L. C. CROW.

On motion of Senator T. J. Miller, the report was adopted.

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 102, entitled "An act to provide for

voting on constitutional amendment at the general election to be held in November, 1898, relating to exemption from taxation of homesteads, and making the same free from attachment, execution or sale for debt," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

We concur in this report:

That it do pass:

THOS. J. MILLER, Chairman.

E. W. TAYLOR.

F. C. HARPER.

DAVID MILLER.

J. W. RANGE.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 216, entitled "An act authorizing the prosecution attorneys of the several counties of the state to compel the attendance of witnesses before them," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Houghton, Lewis, Dorr, and Warburton.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 149, entitled "An act relating to contracts of insurance," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

In section 1, line 2 of the printed bill, after the word "property," insert the words "or building or structure erected on leased premises;" at the end of section 1 add the following: "In case there is a partial destruction of the property insured, the insured shall recover the actual damages sustained."

In section 2, line 3, after the word "clauses," insert the words "of warranty;" in line 7 of the same section, before the word "policy," insert the words "application or;" strike out all after the word "payable," in line 8 of said section.

In section 3, line 6 of the printed bill, before the word "matters," insert the words "matter or;" in lines 6 and 7 strike out the words "or questions arising under the policy," and insert in lieu thereof the words "of insurance."

And that as so amended said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Warburton, Houghton and Dorr.

On motion of Senator Warburton, the report was adopted, and the above Senate bill No. 149 made a special order for Monday, March 1, 1897, at 2 o'clock P. M.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 207, entitled "An act to declare unlawful and void all arrangements, contracts, agreements, trust or combinations made with a view to lessen, or which tend to lessen," etc., have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Warburton, Houghton and Dorr.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 204, entitled "An act granting to judgment debtors the right of possession, rents, issues and profits of real estate and premises sold under execution, during the period of redemption, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Houghton, and Warburton.

On motion of Senator Dorr, the above Senate bill No. 204 was ordered printed and placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 203, entitled "An act amending section 513, chapter 5, volume 2 of Hill's Annotated Codes and Statutes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Houghton, Dorr, and Warburton.

On motion of Senator Crow, the above Senate bill, No. 203, was ordered printed and placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 186, entitled "An act relating to the settlement of community estates and estates held in common, and amending sections 1086, 1089 and 1093, volume 2, Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Dorr, Warburton, and Houghton.

REPORTS OF COMMITTEE ON PRINTING.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred resolution of Senator McReavy, authorizing Dudley Eshelman, secretary of the Senate, to have copy of the Senate Journal prepared for the printer, etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be concurred in.

Respectfully submitted.

J. A. COLE, Chairman.

We concur in this report:

F. G. DECKEBACH.

H. E. HOUGHTON.

S. D. REINHART.

On motion of Senator Cole, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 111, entitled "An act repealing an act relating to legal publications," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be reported back to the Senate without recommendation.

Respectfully submitted.

J. A. COLE, Chairman.

We concur in this report:

F. G. DECKEBACH.

H. E. HOUGHTON.

S. D. REINHART.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred House bill No. 243, entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state, and making an appropriation therefor," have had the same under consideration, and we respectfully

report the same back to the Senate, with the recommendation that it be reported back to the Senate without recommendation, except to recommend that section 6 be stricken out of the bill.

Respectfully submitted.

J. A. COLE, Chairman.

We concur in this report:

H. E. HOUGHTON.

S. D. REINHART.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 15, entitled "An act to provide for the selection of official papers, etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. A. COLE, Chairman.

We concur in this report:

F. G. DECKEBACH.

H. E. HOUGHTON.

S. D. REINHART.

On motion of Senator Dorr, the above report and bill were laid on the table.

REPORTS OF COMMITTEE ON DYKES, DRAINS AND
DRAINAGE.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred House bill No. 121, entitled "An act to amend section 1 of an act approved March 2, 1895, entitled 'An act relating to nuisances, amending section 2893 of volume 1 of Hill's Code,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

F. C. HARPER, Chairman.

I concur in this report:

JOHN MCREAVY.

On motion of Senator Harper, the above House bill, No. 121, was made a special order for this afternoon at 4 o'clock p. m.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred House bill No. 120, entitled "An act to repeal sections 1, 2, 3, 4 and 7 of an act approved March 17, 1890, relating to the powers, rights and duties of corporations organized to build booms, and to catch timber products therein," have had the same under consideration, and we re-

spectfully report the same back to the Senate, with the recommendation that it do not pass.

Respectfully submitted.

F. C. HARPER, Chairman.

I concur in this report:

JOHN McREAVY.

On motion of Senator Dorr, the above House bill, No. 120, was indefinitely postponed.

REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 210, entitled "An act requiring street cars to be provided with pilots, fenders or aprons," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

D. E. LESH, Chairman.

We concur in this report:

W. H. PLUMMER.

E. C. KEITH.

DAVID MILLER.

V. A. PUSEY.

H. E. HOUGHTON.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 208, entitled "An act providing an expense fund in cities of the third class, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

D. E. LESH, Chairman.

We concur in this report:

W. H. PLUMMER.

E. C. KEITH.

DAVID MILLER.

V. A. PUSEY.

H. E. HOUGHTON.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 198, entitled "An act in regard to the rights of municipal corporations in navigable streams and waters, and giving them power to utilize same by lease or otherwise," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments:

In section 3 strike out the word "unlawfully;" also, in section 2 strike out the word "reserve," and insert the word "receive" in place thereof.

Respectfully submitted.

We concur in this report:

D. E. LESH, Chairman.

W. H. PLUMMER.

E. C. KEITH.

DAVID MILLER.

V. A. PUSEY.

H. E. HOUGHTON.

On motion of Senator Plummer, the above, Senate bill No. 198, was made a special order for Monday, March 1, 1897, at 10 o'clock A. M.

REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 255, entitled "An act repealing all acts or portions of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for the further regulation, restraint or prohibition of the manufacture and traffic in intoxicating liquors under a system of state control thereof, and prescribing penalties for violation of the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the accompanying bill be substituted therefor, and that House bill No. 255 remain on the calendar until this substitute bill shall have been disposed of.

Respectfully submitted.

We concur in this report:

J. C. VAN PATTEN, Chairman.

W. B. FIELD.

R. C. WASHBURN.

On motion of Senator Range, the report was adopted.

REPORT OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 230, entitled "An act amending section 2966 of volume 1, Hill's Annotated Statutes and Codes, relating to the salary of the clerk of the supreme court," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendment: Strike out the word "fifteen" in section 1, and insert the word "eighteen" instead.

Respectfully submitted.

We concur in this report:

AUGUSTUS HIGH, Chairman.

W. E. RUNNER.

C. W. DORR.

THOS. J. MILLER.

E. C. KEITH.

On motion of Senator T. J. Miller, the report was adopted.

REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 26, entitled "An act to provide for the platting of real estate by the personal representatives of decedents," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments: Strike out, in section 1, line 3, the words "or direct," and in last section strike out the words therein, and insert, in lieu thereof, "An emergency is hereby declared to exist, and this act shall take effect immediately."

Respectfully submitted.

We concur in this report:

D. E. LESH, Chairman.

W. H. PLUMMER.

E. C. KEITH.

DAVID MILLER.

V. A. PUSEY.

H. E. HOUGHTON.

The report was adopted.

REPORTS OF COMMITTEE ON STATE GRANTED, SCHOOL
AND TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 262, entitled "An act providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of the cities of the first class," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

D. E. LESH.

C. M. EASTERDAY.

DAVID MILLER.

JOHN WOODING.

J. C. VAN PATTEN.

On motion of Senator Frink, the above House bill No. 262 was made a special order for to-day at 1:30 o'clock P. M.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bi No. 257, entitled "An act providing for

the correction and revision of a portion of the plat of Seattle tide lands, and an appraisement of the lots in the portion so revised and corrected, authorizing and prescribing the manner of readjustment of existing rights in accordance therewith, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. G. MEGLER.

J. C. VAN PATTEN.

C. M. EASTERDAY.

DAVID MILLER.

D. E. LESH.

JOHN WOODING.

On motion of Senator Range, the above House bill No. 257 was made a special order for to-day at 1:30 o'clock P. M.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 110, entitled "An act to amend section 2 of an act extending the time on payment of contracts for sale of school lands for agricultural and grazing purposes," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. G. MEGLER.

D. E. LESH.

C. M. EASTERDAY.

DAVID MILLER.

JOHN WOODING.

J. C. VAN PATTEN.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate joint resolution relating to lands granted to the state by the congress of the United States, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. G. MEGLER.

D. E. LESH.

C. M. EASTERDAY.

DAVID MILLER.

JOHN WOODING.

J. C. VAN PATTEN.

On motion of Senator Easterday, Senate bill No. 15, by Senator

Easterday, "An act abolishing the offices of municipal judges and clerks in cities of over twenty thousand inhabitants," was taken from the table and made a special order for Tuesday, March 2, 1897, at 2 o'clock P. M.

On motion of Senator Keith, Senate bill No. 177, by Senator High, "An act providing for a constitutional amendment relating to the salaries of state officers," was made a special order for Tuesday, March 2, 1897, at 3 o'clock P. M.

On motion of Senator Range, Senate bill No. 160, by Senator Range, "An act relating to actions for the foreclosure of existing mortgages of real estate, and for the recovery of the debt secured by such mortgages on real estate, relating to sales in such cases, and declaring an emergency," was made a special order for Wednesday, March 3, 1897, at 2 o'clock P. M.

On motion of Senator Crow, Senate bill No. 116, by Senator Crow, "An act relating to deficiency judgments," was taken from the table and made a special order for Tuesday, March 2, 1897, at 10 o'clock A. M.

On motion of Senator Yeend, Senate bill No. 231, by Committee on State Penal and Reformatory Institutions, "An act to amend section 20 of an act relating to the state penitentiary," was made a special order for Monday, March 1, 1897, at 2:30 o'clock P. M."

On motion of Senator Keith, Senate bill No. 71, by Senator Keith, "An act providing for publishing and supplying a series of text-books to the common schools of the State of Washington, and making an appropriation therefor," was made a special order for Thursday, March 4, 1897, at 10 o'clock A. M.

On motion of Senator Lewis, the following bills were made a special order for Tuesday, March 2, 1897, at 2 o'clock P. M.:

Senate bill No. 243, by Senators Washburn, Warburton and Lewis: An act relating to justices of the peace and constables in cities having more than twenty thousand inhabitants, and fixing their number and salaries.

Senate bill No. 244, by Senators Warburton, Washburn and Lewis: An act relating to municipal courts, fixing salaries of judges and clerks thereof, and giving jurisdiction in actions removed by change of venue from justices of the peace.

Senate bill No. 245, by Senators Warburton, Washburn and Lewis: An act to amend an act entitled "An act providing for changes of venue from justices of the peace," the same being sec-

tion 1468, volume 2 of Hill's Annotated Statutes and Codes of Washington.

On motion of Senator Yeend, the Senate took up the eighth order of business.

GENERAL FILE.

Senate bill No. 86, by Senator Yeend: An act to amend an act entitled "An act to amend section 5 of an act entitled 'An act appropriating money for the purchase of material and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary,' approved March 20, 1895."

The bill was read the third time by sections.

On motion of Senator Yeend, section 2 was stricken out.

The bill was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baum, Davis, High, Lesh, Paul, Runner, and Warburton — 7.

On motion of Senator Easterday, the title was amended by adding the words "and providing a penalty for a violation of the provisions thereof."

Senate bill No. 224 (substitute for Senate bill No. 98), by Senator Dorr: An act imposing a tax of two per cent. on premiums received by fire insurance companies in villages, towns or cities having organized fire departments therein, and appropriating the same for the support and maintenance of such fire departments.

The bill was read the third time by sections.

On motion of Senator Dorr, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Cole, Crow, Dorr, Easterday, Field, Frink, Harper, High, Houghton, Lesh, Lewis, McReavy, Megler, Miller David, Plummer, Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 24.

Senator Hall voted nay.

Absent or not voting: Senators Baum, Davis, Deckebach, Hill, Keith, Miller T. J., Paul, Runner, and Taylor—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent was given for the introduction of the following bills:

Senate bill No. 263, by the Joint Committee of the Senate and House on Public Revenue and Taxation: An act to provide for the assessment and collection of taxes in the State of Washington.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, ordered to be given the right-of-way and double the number of copies printed, and placed on general file.

Senate bill No. 261, by Committee on Claims and Auditing (substitute for Senate bill No. 250): An act for the relief of George W. Babcock.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill read the second time by title, and made a special order for this afternoon at 2 o'clock.

Senate bill No. 262, by Senator Plummer: An act relating to building and loan associations.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Privileges and Elections.

Senate bill No. 264, by Senator Plummer: An act declaring bicycles to be baggage, and providing for the carrying of the same by railroad companies.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

Senate bill No. 265, by Senator Range: An act for the relief of D. B. Ward.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 266, by Senator Runner: An act appropriating the sum of four hundred and fifty-six dollars and twenty-five cents (\$456.25), payable to Mike Wanka and others, out of the general

fund of the State of Washington, for materials and labor furnished in the construction of the Cheney normal school.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 267, by Senator Runner: An act for the relief of Giles and Peat.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, ordered not printed, and referred to the Committee on Claims and Auditing.

House bill No. 371, by Mr. de Mattos: An act to fix the fees to be collected by the secretary of state, in relation to corporations, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and made a special order for to-day at 2:15 o'clock P. M.

On motion of Senator Dorr, Senate concurrent resolution No. 21, by Senator Taylor, relative to the publication of session laws, revenue laws, school laws, etc., was taken from the table.

On motion of Senator Dorr, the resolution was amended by adding "500 copies of the insurance law."

The resolution was then adopted by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Baum, Davis, Frink, Miller David, and Paul — 5.

On motion of Senator Deckebach, at 12 o'clock M., the Senate adjourned until 1:25 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:25 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The president announced that the time had arrived for the consideration of House bill No. 262, by Mr. Williams: An act providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of cities of the first class, prescribing the conditions under which the same may hereafter be disposed of, and declaring an emergency.

On motion of Senator Crow, section 3 was amended by striking out the word "bill," in the first line of the original bill, and inserting in lieu thereof the word "act."

On motion of Senator Range, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, Keith, Lesh, Lewis, Megler, Miller David, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, and Wooding — 25.

Nays: None.

Absent or not voting: Senators Easterday, High, Hill, Houghton, McReavy, Miller T. J., Paul, Van Patten, and Yeend — 9.

The emergency clause was passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, Keith, Lesh, Lewis, Megler, Miller David, Plummer, Pusey, Range, Reinhart, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Easterday, High, Hill, Houghton, McReavy, Miller T. J., Paul, Runner, and Van Patten — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 24, by Mr. Roberts, providing for a joint session of the Senate and House of Representatives to convene, as per request of the governor, for the purpose of receiving the Trans-Mississippi Exposition delegation, and fixing the hour of said joint session at 7 o'clock P. M., February 26, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

The president announced that the time had arrived for the consideration of House bill No. 257, by Mr. Williams: An act providing for the correction and revision of a portion of the plat of Seattle tide lands and an appraisement of the lots in the portion so revised and corrected, authorizing and prescribing the manner of readjustment of existing rights in accordance therewith, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Range, it was placed on its final passage.

It was then passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Hall, Hill, Houghton, Miller David, Paul, and Van Patten — 6.

The emergency clause was passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Crow, Davis, Deckebach, Easterday, Field, Frink, Harper, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Cole, Dorr, Hall, High, Houghton, Paul, and Van Patten — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Lewis, the rules were suspended, and the bill immediately transmitted to the House.

Senator Baum moved that the rules be suspended, and all bills now on the secretary's desk received.

The motion was carried.

INTRODUCTION OF BILLS.

Senate bill No. 260, by Senator Baum: An act providing for the service of summons and complaint upon corporations which have been doing business in this state where such corporations are in the hands of a receiver and there are no officers in this state upon whom summons and complaint can be served.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 269, by Senator Van Patten: An act to amend sections 29 [28] and 35 [34] of an act entitled "An act to provide for state grain weighing and grading, and creating the office of the state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000, approved March 19, 1895."

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 270, by the Committee on Public Morals: An act providing for the submission to the voters of the proposition of adopting the Cline dispensary law.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 271 (substitute for Senate bill No. 110), by Committee on State Granted, School and Tide Lands: An act to amend an act entitled "An act extending the time of payments on contracts for the sale of school lands for agricultural or grazing purposes, made under the acts of the legislature, approved March 28, 1890, and March 15, 1893, respectively."

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 272, by the Committee on State Granted, School

and Tide Lands: An act relating to granted, shore and tide lands, and to actions and proceedings relating to such lands.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate memorial No. 8, by the Committee on Memorials: Relative to the election of United States senators by a direct vote of the people.

The memorial was read the first time; and, on motion of Senator Easterday, the rules were suspended, the memorial read the second time by title, the rules further suspended, the memorial read the third time, and placed on its final passage.

It was then passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding—28.

Nays: None.

Absent or not voting: Senators Hall, High, Houghton, Lesh, Pusey, and Yeend—6.

On motion of Senator Plummer, the rules were suspended, and the memorial ordered transmitted to the House immediately.

Senate memorial No. 9, by Senator David Miller: Memorial to congress, praying for the passage of pension bill No. 2281.

The memorial was read the first time; and, on motion of Senator David Miller, the rules were suspended, the memorial read the second time by title, the rules further suspended, the memorial read the third time, and placed on its final passage.

It was then passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend—28.

Nays: None.

Absent or not voting: Senators Hall, Harper, High, Hill, Pusey, and Warburton—6.

On motion of Senator David Miller, the rules were suspended, and the memorial ordered transmitted to the House immediately.

The president announced that the time had arrived for the consideration of Senate bill No. 148, by Senator Cole: An act for the regulating of the sale of property under execution and decrees.

The bill was read the third time by sections.

On motion of Senator Plummer, section 1 was amended by inserting the words "one of which shall be in a conspicuous place on the property to be sold," after the word "place," in line 16, subdivison 4 of the printed bill.

On motion of Senator Crow, section 1 was further amended by striking out the word "successively," in line 16 of the printed bill; and, also, by inserting the word "consecutive" after the word "four" in the same line.

On motion of Senator Lesh, section 2 was amended by inserting the words "in the judgment of the officer conducting the sale," after the word "as" and before the word "are," in line 7 of the printed bill; also, by inserting the same words after the word "as" and before the word "is," in line 9 of the printed bill.

On motion of Senator Warburton, section 3 was amended by striking out all of line 6 after the word "attorney," and all of line 7.

On motion of Senator Warburton, section 4 was amended by striking out the words "or any encumbrancers" in line 1 of the printed bill, and the words "or encumbrancer" in line 4 of the printed bill.

On motion of Senator Plummer, section 5 was amended by striking out the words "or encumbrancers" in line 2 of the printed bill.

Senator T. J. Miller moved to further amend section 5 by striking out the word "freeholders" in line 5 of the printed bill, and inserting in lieu thereof the word "persons."

The amendment was lost.

On motion of Senator Taylor, section 6 was amended by striking out the word "creditors" in line 4 of the printed bill, and inserting in lieu thereof the word "debtors."

On motion of Senator Plummer, section 6 was further amended by striking out the word "tenants" in line 2 of the printed bill, and inserting in lieu thereof the word "tenements;" also, by

striking out the word "and" after the word "liens" in the same line, and inserting in lieu thereof a comma.

On motion of Senator Wilson, section 6 was further amended by inserting the words "value of" before the word "real" in line 1 of the printed bill.

On motion of Senator Houghton, section 6 was further amended by striking out the word "the" after the word "liens" in line 2 of the printed bill, and inserting before the word "liens" the word "prior."

Senator Lesh moved to strike out section 7.

The motion was lost.

On motion of Senator Easterday, section 7 was amended by striking out the words "on demand of the sheriff or of the appraisers" in line 1 of the printed bill.

On motion of Senator Wilson, section 1 was amended by inserting commas after each of the following words: "may" in line 1, "deed" and "appraised" in line 2, "appraisers" in line 3, "execution" in line 4, and "sold" in line 5 of the printed bill.

On motion of Senator Houghton, section 10 was stricken out.

On motion of Senator Houghton, as amended by Senator Taylor, section 2 was amended by inserting after the word "separately," in line 9 of the printed bill, the words "when demanded by the judgment or subsequent incumbrancer;" and also by striking out all of line 9 after the word "separately," all of line 10 and all of line 11 up to and including the word "separately."

Senator Easterday moved to amend section 12 of the printed bill, the same having become section 11 of the original bill, by inserting the words "two-thirds of" after the word "than" in line 1 of the printed bill.

Senator Houghton moved as an amendment that the words "ninety per cent. of" be inserted instead of the words "two-thirds of."

Senator Easterday moved to amend the amendment by inserting the words "seventy-five per cent. of" instead of those proposed in the amendment of Senator Houghton.

Senator Crow moved as a substitute that the words "eighty per cent. of" be inserted instead of those proposed in the amendment to the amendment.

The substitute was adopted.

On motion of Senator Taylor, section 13 of the printed bill,

the same having become section 12 of the original bill, was amended by striking out the word "by," in line 9 of the printed bill, and inserting in lieu thereof the word "be."

On motion of Senator Easterday, section 13 was further amended by inserting after the word "may," in line 7 of the printed bill, the words "after ten days' notice to the judgment creditor, or his attorney, and if no sale thereof be demanded by the creditors."

On motion of Senator Lesh, section 14 of the printed bill, the same having become section 13 of the original bill, was amended by striking out the word "a," in line 1 of the printed bill, and inserting in lieu thereof the word "the;" and also by striking out the words "not exceeding," in line 2 of the printed bill, and inserting in lieu thereof the word "of."

On motion of Senator Easterday, the same section was amended by striking out the figure "2" and inserting in lieu thereof the figure "1."

On motion of Senator Houghton, section 14 was further amended by adding the following: "The appraisers shall file with the clerk of the court a report of their doings within ten days after making their appraisal and not less than twenty days prior to the date of the sale."

On motion of Senator Wilson, section 14 was further amended by striking out the words "the judgment creditors," in line 4 of the printed bill, and inserting in lieu thereof the words "the party demanding the appraisal."

On motion of Senator T. J. Miller, section 9 was stricken out.

On motion of Senator Taylor, section 16 of the printed bill was stricken out and the following sections added:

SEC. 14. Upon the return of any sale of real estate on execution, the clerk shall enter the cause on which the execution issued on the motion docket by its title, and mark opposite the same "sale of land for confirmation," and the following proceedings shall be had:

1. The plaintiff or purchaser, at any time after thirty days from the filing of such return, shall be entitled, on motion therefor, to have an order confirming the sale, unless the judgment debtor, or in case of his death, his representatives, shall file with the clerk, three days before the time of hearing, his objection thereto.

2. If such objection be filed the court shall, notwithstanding, allow the order confirming the sale, unless on the hearing of the motion it shall satisfactorily appear that there were substantial irregularities in the proceedings concerning the sale, to the probable loss or injury of the party objecting. In the latter case, the court shall disallow the motion,

and direct that the property be resold, in whole or in part, as the case may be, as upon an execution received of that date.

3. Upon the return of the execution, the sheriff shall pay the proceeds of the sale to the clerk, who shall retain the same until the confirmation of the sale, and he shall then apply the same, or so much thereof as may be necessary, in satisfaction of the judgment.

4. If the sale be not confirmed and a resale be made, the bid of the purchaser at the former sale shall be deemed to be renewed and continue in force, and no bid shall be taken except for a greater amount than the bid at the former sale. If the motion to confirm be not heard and decided at the time set for hearing, it may be continued and heard and determined before the judge thereafter. An order confirming a sale shall be a conclusive determination of the regularity of the proceedings concerning such sale as to all persons in any other action, suit or proceeding whatever.

5. If after the satisfaction of a judgment there be any proceeds of the sale remaining, the clerk shall pay such proceeds to the judgment debtor or his representatives, as the case may be, at any time before the order is made upon the motion to confirm the sale, provided such party file with the clerk a waiver of all objections made or to be made to the proceedings concerning the sale; but if the sale be confirmed, such proceeds shall be paid to such party of course, otherwise they shall remain in the custody of the clerk until the sale of the property has been disposed of.

SEC. 15. The judgment debtor, his successors or assigns, or any redemptioner, may redeem any real estate sold by virtue of law at any time before the execution of the deed, at the valuation or price for which the same was sold, by paying to the clerk of the court issuing the execution the amount for which the same was sold, with interest at the rate of 10 per cent. per annum from the time of sale to the time of redemption. And when property is so redeemed, it shall not again be subject to execution or sale for the same claim, judgment or demand, or for any deficiency thereof.

SEC. 16. In all cases where an appraisement is had of real estate the sheriff shall, upon confirmation of the sale, execute to the purchaser a deed to the property sold, and in all other cases the deed shall not be executed till the expiration of one year from the confirmation of sale. And such deed, when executed and delivered, shall convey to the purchaser all right, title, claim and interest of the judgment debtor in and to the premises had at the time of the taking effect of the lien, or subsequent thereto.

On motion of Senator T. J. Miller, the title was amended to read as follows: "An act relating to the sale of property under execution and decrees, and the confirmation of sheriff's sales."

On motion of Senator Easterday, section 3 was amended by striking out the words "to be" in line 4 of the printed bill.

On motion of Senator Easterday, section 5 was amended by

striking out the word "valuation," in lines 7 and 8 of the printed bill, and inserting in lieu thereof the word "value."

On motion of Senator Wilson, section 3 was amended by inserting after the word "creditor," in line 2 of the printed bill, the words "or his successors in interest."

Senator Wilson moved to amend section 3 by striking out the words "or his attorney" in line 6 of the printed bill.

The amendment was lost.

On motion of Senator Easterday, the following sections were added:

SEC. 17. Nothing contained in this act shall in any wise apply to or affect the sale of any real estate belonging to the state or any subdivision thereof, or municipality therein, nor shall anything in this act apply to judgments recovered against individuals or private corporations by the state, or any county, municipality or other subdivision thereof, but all real estate, the property of individuals or private corporations indebted to the state or any county, municipality or other subdivision thereof, for any debts or taxes, or in any other manner, shall be sold without valuation.

SEC. 18. This act shall not apply to judgments entered prior to the taking effect thereof, nor to executions which shall issue thereupon, but proceedings thereunder shall be had, in all respects, in the manner now provided by law, and redemptioners shall have the same right to redeem property sold upon judgments or decrees rendered prior to the taking effect of this act as if this act had not been passed.

SEC. 19. Sections 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the redemption of real estate sold on decree of foreclosure and on execution, are hereby repealed.

Senator Taylor moved that the bill be referred to the Committee on Engrossed Bills.

Senator Lesh moved as an amendment that it be referred to the Committee on Education.

The amendment was lost.

Senator Wilson moved as an amendment that the bill be ordered printed.

The amendment was lost, and the original motion prevailed.

The president announced that the time had arrived for the consideration of House bill No. 371, by Mr. de Mattos: An act to fix the fees to be collected by the secretary of state, in relation to corporations, and declaring an emergency.

The bill was read the third time by sections.

Senator Lesh moved to amend section 1 by striking out the word "twenty" in line 3 of the printed bill.

Senator Easterday moved to amend the amendment by striking out the words "twenty-five" and inserting in lieu thereof the word "ten."

On motion of Senator Houghton, the bill was laid on the table.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., February 26, 1897.

*The Honorable, the Senate of the State of Washington, Senate Chamber,
Olympia, Washington:*

GENTLEMEN — I have the honor to inform you that I am this day in receipt of a telegram from G. M. Hitchcock, president of the Trans-Mississippi Exposition at Omaha, saying: "The Trans-Mississippi Exposition delegation would like to appear before the joint session of the Washington legislature Friday evening, if possible. We have already met the legislatures of six states."

Very respectfully, J. R. ROGERS, Governor.

On motion of Senator Taylor, the communication was laid on the table.

Senator Taylor was called into the chair.

Unanimous consent was given to take up House concurrent resolution No. 24, by Mr. Roberts, "providing for a joint session of the Senate and House of Representatives to convene, as per request of the governor, for the purpose of receiving the Trans-Mississippi Exposition delegation, and fixing the hour of said joint session at 7 o'clock P. M., February 26, 1897."

On motion of Senator Plummer, the resolution was adopted.

Mr. Roberts, of a committee from the House, informed the Senate that the House had appointed a committee to wait upon the governor and inform him of the joint session at 7 o'clock P. M., to receive the representatives of the Trans-Mississippi congress.

Unanimous consent was given for the introduction of Senate bill No. 273, by the Committee on Appropriations: An act making appropriations for sundry civil expense of the state government for the fiscal term beginning April 1, 1897, and ending March 1, 1899.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and placed on general file.

President Daniels resumed the chair.

Senator Plummer moved that a committee of two be appointed to act with the House committee to notify the governor of the joint session to receive the representatives of the Trans-Mississippi congress.

The motion was carried, and the president appointed Senators Plummer and Hall as such committee.

On motion of Senator Lesh, at 5:15 o'clock P. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

EVENING JOINT SESSION.

President Daniels called the joint session to order at 7 o'clock P. M.

The secretary called the roll of the Senate; all members being present, except Senators Baum, Field, Frink, Harper, Houghton, Lesh, Paul, Plummer, Pusey, Washburn, Wilson, and Wooding.

The roll call of the House was dispensed with, and all members considered present, except those who were regularly excused.

The committee announced that the delegation of the Trans-Mississippi and International Exposition was present.

The following gentlemen addressed the session: Geo. Wattles, president of the exposition; John L. Webster, member of board of directors; Clement Chase, editor of the Omaha Excelsior; Gilbert M. Hitchcock, editor of the World-Herald and promoter of Trans-Mississippi and International Exposition.

On motion of Senator Taylor, at 8:35 o'clock P. M., the joint session dissolved.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-EIGHTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, February 27, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Baum and Frink.

Senator David Miller moved that the reading of the journal of yesterday be dispensed with and the journal approved.

The motion was lost.

The journal of yesterday was read and approved.

On motion of Senator Dorr, the reading of the journal of the joint session of yesterday was dispensed with and the journal approved.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

The House has passed House bill No. 439, by Mr. Hansen, An act entitled "An act to amend sections 1, 2, 4 and 5 of an act entitled 'An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor,' approved February 23, 1893."

Also, House bill No. 398, by Mr. Way, An act entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to taxation."

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

The House has passed House memorial No. 13, by Mr. Caywood, petitioning the Senate and House of Representatives in relation to the appropriation of \$25,000 for the improvement of Clearwater river, made by the last river and harbor bill for the improvement of Clearwater river, may be supplemented in the next river and harbor bill by an appropriation of

not less than that amount for the continuance of the work, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

(OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

The House has passed House bill No. 126, by Mr. A. S. Bush, **An act entitled "An act for the relief of the Ilwaco Railway and Navigation Company and granting to said company the right to construct, equip, maintain and operate its railroad over and upon certain tide lands in front of the town of Ilwaco, Pacific county, Washington, and declaring an emergency."**

Also, House bill No. 56, by Mr. Nelson, **An act to amend section 1443 of the Code of Washington of 1881, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, and in regard to settlement of estates of decedents.**

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

On motion of Senator Plummer, the rules were suspended, and the Senate took up House memorial No. 16, by Mr. Mohundro, **"A memorial to congress in regard to a national soldiers' home at Fort Sherman, Idaho."**

The memorial was read the first time; and, on motion of Senator Plummer, the rules were suspended, the memorial read the second time by title, the rules further suspended, the memorial read the third time, and placed on its final passage.

It was then passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Wilson, and Wooding—27.

Nays: None.

Absent or not voting: Senators Baum, Frink, Hall, Houghton, Lesh, Washburn, and Yeend—7.

On motion of Senator Plummer, the rules were suspended, and the memorial ordered transmitted to the House immediately.

On motion of Senator Runner, the rules were suspended, and the Senate took up Senate bill No. 151, by Senator Runner, **An act relating to railroads.**

The bill was read the third time by sections.

On motion of Senator Taylor, section 1 was amended by insert-

ing after the word “use,” in line 3 of the printed bill, the words “which fence shall consist of three wires with board on top, posts to be not more than sixteen feet apart, wires not more than one foot apart, top rail not more than eighteen inches from top wire.”

Senator Taylor moved to reconsider the vote by which the foregoing amendment was adopted.

The motion was carried.

The amendment was again adopted.

On motion of Senator Taylor, section 1 was further amended by inserting after the word “wire,” in line 3 of the printed bill, the words “excepting yards tributary to depot grounds and within incorporated cities or municipalities.”

Senator Taylor moved to amend section 2 by inserting after the word “adjoining,” in line 9 of the printed bill, the words “on both sides.”

The amendment was carried.

Senator Taylor moved to amend section 4 by striking out all of line 4 after the word “large” and all of line 5 up to and including the word “appealed.”

The amendment was lost by the following vote: Yeas 6, nays 20, absent or not voting 8.

Those voting yea were: Senators Cole, Davis, High, Plummer, Taylor, and Wooding — 6.

Those voting nay were: Senators Crow, Deckebach, Dorr, East-erday, Field, Hall, Harper, Hill, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Van Patten, Warburton, and Wilson — 20.

Absent or not voting: Senators Baum, Frink, Houghton, Keith, Lesh, Pusey, Washburn, and Yeend — 8.

The bill was then referred to the Committee on Engrossed Bills.

The secretary read the following communication from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 27, 1897.

The Honorable, the Senate of the State of Washington:

GENTLEMEN — I beg leave to call the attention of your honorable body to a matter of great interest to the people of the State of Washington. This matter is doubtless as well known to your honorable body as to myself, and yet the near approach of the end of the session without action upon it causes me to remind you of the assurances given to the people

during the late campaign that relief should be afforded them from unjust railroad charges. In this matter promises most specific were made. These promises must be fulfilled, or this legislature will go down in future records as having failed to carry out most solemn ante-election asseverations. In view of these facts I desire that responsibility be placed where it unquestionably rests, to wit: on the members of this legislature.

It is true that any one can criticise existing conditions, but it is also true that wise and constructive statesmanship is required to propose practical measures which will bring about desired improvements. In the matter of railroad legislation this is most eminently true. Realizing that those who never have given especial attention to railroad matters are unfitted to grapple offhand with problems which have for years staggered the minds of able men, I am led to quote from the work of ex-Governor Larrabee, of Iowa, which he has just sent me. Governor Larrabee was no small part of the movement in his state which led to the repression of previous railroad abuses. I believe we shall do well to listen to his wise and sagacious counsel.

In his chapter on railroads and railroad legislation in Iowa, after tracing the efforts of the legislature of that state to correct long standing abuses through the enactment of maximum rate laws, he tells us that the general assembly, or the greater number of the members, finally realized that the failure of the law to bring the expected relief was not due so much to the imperfections of the law as to the absence of a power to enforce it. He says:

"The writer, with others, was convinced that a strong and conscientious commission would be a much more potent agency to secure reasonable rates for the shipper than a maximum tariff law without proper provisions for its efficient enforcement; they, in short, preferred a commission without a tariff law to a tariff law without a commission. The question became the subject of many animated debates in both houses of the general assembly, but the commissioner system at last prevailed. The act establishing a board of railroad commissioners and defining their duties was approved on the 23d of March, 1878, and went into force a few days later. The act empowered the commission to exercise a general supervision over all railroads operated in the state, to inquire into any neglect or violation of the laws of the state by any railroad corporation or its officers or employes, to examine the books and documents of any corporation, to investigate complaints of shippers that unreasonable charges had been made by railroad companies, and to modify any charge which they might deem unreasonable. It was also made the commissioners' duty to make an annual report to the governor disclosing the working of the railroad system in the state, the officers of each company being required to make annual returns to the board for this purpose.

"Though the enactment of this law was a surprise to the people, they accepted it in good cheer, and determined to give it an honest trial. The law was extensive in its scope and stringent for that time, and, if strictly enforced in letter and in spirit, promised to be, and would have been, entirely sufficient for the thorough control of railroad corporations.

"Nevertheless, in the course of time it became apparent that either the law had not lodged sufficient authority in the commission or the commission did not make use of the authority which the law had given them. In spite of the commission, the railroad companies maintained pools and charged extortionate and discriminating rates, in direct violation of the law. It is true, the commissioners righted many a wrong. In investigating the complaints of shippers against railroad companies they often rendered valuable services to those who had neither the means nor the inclination to prosecute their rights in the courts of law; but as they held that they could only pass upon individual charges,

and did not have the power to revise the companies' tariffs, the companies were virtually in a position to become guilty of more extortions in one day than the commission could investigate in a year."

Governor Larrabee then traces the steps taken by the people of Iowa in remedying the defects of the law then in force, and further says:

"The demand of the people for more equitable rates and a more thorough control of the railroad business increased from year to year. Repeated attempts were made in the general assembly to secure the passage of an act looking to that end, but, owing to shrewd manipulations on the part of the railroad lobby, every attempt was defeated. There always was, of course, a large number of members who represented districts not well supplied with railroad facilities. These, as a rule, honestly opposed restrictive legislation, believing that such legislation would check building, and that, on the other hand competition could be relied upon to correct abuses. Of those members who had less positive convictions many were retained as railroad attorneys, and were thus made serviceable to the companies. Other members with political ambition were flattered or intimidated into subjection, and bribes in disguise, such as passes and special rates, were not infrequently resorted to to strengthen the railroad following in both houses of the general assembly.

"Railroad corruption did not pause here. It is a notorious fact that large sums of money were paid to venal papers of both parties in consideration of an agreement on their part to defend transportation abuses and exert their influence against progressive railroad legislation. The vilest means were often resorted to by these sheets to obtain their end. Public men who had the courage to avow their opposition to existing railroad abuses or to favor a more perfect system of state control of railways were misrepresented, ridiculed, traduced and denounced as demagogues and socialists by hypocritical editors, who prostituted their political influence as long as they enjoyed railroad stipends, and who at intervals became converts to the cause of the people for the purpose of extorting from the railroad companies a new and increased subsidy. But truth cannot long be suppressed. The masses of the people may be imposed upon for a time, but even the shrewdest rogue will eventually be compelled to surrender. In time even rather unsophisticated voters learned to place a true estimate upon the motives of the editors, whose policy, as one of them expressed it in the author's presence, was 'controlled by the counting room.'

"Railroad politicians gradually lost their influence, and the symptoms of public discontent greatly increased. In the political campaign of 1887 state control of railroads became one of the main issues. Both of the great political parties in their platforms had declared themselves very emphatically in favor of such legislation as would bring railroad corporations under complete state control, and with very few exceptions the various legislative districts had nominated only such men as candidates for legislative offices as were known to be in thorough accord with the masses of the people upon the railroad question.

"The election resulted in an even more complete defeat of the railroad forces than had been generally anticipated. Yet no hasty step was taken when the general assembly convened. A large number of bills contemplating railroad reforms in various ways were introduced, but the material presented was carefully sifted by the railroad committees and a committee bill was framed which incorporated the best features of them all. The committees listened patiently for weeks to the arguments of the representatives of both the railroads and the shippers.

"Never before had so formidable a railroad lobby assembled at the state capitol. The danger signal had been raised, and not only were the great political manipulators of the state called into requisition, but experts from adjoining states joined them in besieging the legislature. The dogs of war were let loose from all quarters. A legion of hirelings were zealous to show their servility and loyalty to their lords. The daily and weekly papers of the state, in the service of the railroad companies, teemed with arguments from the pens of railroad attorneys, and their columns were profusely supplemented with editorials copied from prominent corporation papers like the *New York Tribune*, *New York Times*, *New York World*, *Albany Evening Argus*, *Boston Advertiser*, and others from various parts of the country.

"These papers, attempting to disguise the motives that prompted them to come to the defense of the Wall Street interests, affected the position of disinterested and impartial

observers. They condemned the proposed measures as wild and socialistic, and they painted in dark colors the disasters to railroad property, the injustice to its owners, and misfortunes to the people of Iowa, that would follow their adoption. Especially did they bewail the losses that would fall upon the widows and orphans who had confidently invested all of their hard earnings in this property.

"They never uttered a word of condemnation, but entirely ignored or defended the abuses by which the stockholders were robbed at one end of the line and the patrons were imposed on at the other.

"Many of these papers were notified that their statements were altogether erroneous, but they would not admit a line to their columns in relation to the matter that indicated any other disposition than complete subserviency to the interests of Wall Street.

"There were, however, an unusual number of strong men in this general assembly, and this extraordinary display of railroad forces only tended to impress more strongly upon them the necessity of curbing the railroad power, and their best energies were concentrated upon the subject, with a firm determination to deal with it in a manner dictated by reason and experience.

"So well did the bill which was finally adopted by the committee reflect the general sentiment of the members of the general assembly that not a single vote was cast against it in either house upon its final passage. Since the adjustment of business under this law, there has been less friction between the people and the railroads than before for thirty years, and so satisfactory has it proved to all, that no one, not even a railroad man, has to this day asked the legislature to repeal the law or any part of it. The act contains no new principle of railroad control. By far the greater part of its provisions were taken from the old law. Nearly every one of its features may be found either in the interstate commerce act or upon the statute books of other states. It provides that charges must be reasonable and just, that no undue preference or advantage shall be given to any railroad patron, and that equal facilities for interchange of traffic shall be given to all roads; it prohibits pooling, a greater charge for a shorter than longer haul, the shorter or any portion of it being included in the longer, and discrimination against any shipping point. It requires that schedules of rates and fares shall be printed and kept for public inspection, and that no advance shall be made in rates or fares once established except after ten days' public notice; and it empowers the board of railroad commissioners to make and revise schedules for railroads, the rates contained in such schedules to be received and held in all suits as prima facie reasonable maximum rates. The act further provides penalties and means of enforcement.

"It must not be supposed that by the passage of this act the legislature disclaimed the right to fix absolute rates; it simply chose this expedient because in the present tentative stage of rate regulations it seemed most efficient.

"There has been much misunderstanding concerning the Iowa law. Many suppose that the Iowa commissioners have power to make confiscatory rates for the railroads, while, in fact, they can only name maximum rates which shall be deemed and taken in all courts of the state as prima facie evidence that they are reasonable and just maximum rates until the railroads show that they are not. They are at liberty to go into court any day and show this, if they are able. They are, however, careful not to undertake it, for no one knows better than they do that the rates fixed by the commissioners are liberal for the railroads.

"There are nine states, besides Iowa, in which the power to fix rates has been conferred upon railroad commissioners. This feature of the law was therefore far from being a novel one, yet no provision of the act was, previous to its passage, so furiously opposed, or subsequent to it so stubbornly resisted as this. Railroad managers realized that a surrender of the right to make their own rates was virtually a surrender of the power to practice abuses."

Governor Larrabee continues:

"It is seen that the fears, or rather the pretended fears, of the railroad managers, that the legislature of Iowa would bankrupt her railroads, were entirely groundless. As a result of the law railroads have been able to increase their gross earnings as well as their profits. They have been enabled to give employment to a larger number of men, and there has been no occasion for them to carry out the dishonest threat to decrease the wages of their employees. Had it not been for their increased earnings in Iowa, the losses recently sus-

tained in other states by several of the through lines would have made it impossible for them to declare the dividends which they did.

"Under her beneficial railroad policy Iowa has prospered wonderfully, and her railroads have been more prosperous than when they were allowed to have their own way. The commissioners' tariff has made jobbing and manufacturing profitable where it was unprofitable before. It has added to our industries and our commerce, and has made new business for the people as well as the railroads. It has contributed to the increase in the value of our farms and factories and their products, and the time will come when wise railroad managers, like the majority of former slaveholders of the south, would not resurrect the past if they could."

These extracts from the work of Governor Larrabee are given as having peculiar value at this time. We, of Washington, cannot do better than to follow the wise, conservative and cautious policy here outlined. A railroad commission holding office during the pleasure of the governor and removable at his will, having power to regulate railroad charges, is in line with the best thought upon this most important matter, and I am fully convinced will gradually and wisely remove the difficulties under which our shippers now labor. In this way responsibility is fixed and immediately brought home to the governor, who in this event would be held responsible for failure. In this connection I desire to say that if given the power to appoint, I shall exercise it with the sole purpose of doing justice to all parties. If the commission appointed by me does not do its duty a new one will at once be named, and this policy will be maintained to the end. In this connection I desire also to say that I cannot be coerced into the appointment of unfit and irresponsible men to the office of railroad commissioner, even though members should thereby refuse to vote for the enactment of a wise, just and conservative measure of relief urgently demanded by their constituents. The State of Washington has able, conscientious and honest men who can be induced to serve. It is entitled to the services of her best men at this critical juncture. Anything less than this is folly which I do not wish to commit. I will add that these men have as yet not been named, nor has there been made any promise to appoint any man to the position here mentioned. Whoever says that these men are named utters a falsehood and renders himself liable to be charged with the crime of conspiring against the true interests of the people of this state.

I have spoken thus strongly because the situation has seemed to demand it, for I believe that honest men in your body are being betrayed to their hurt and to the defeat of the people's cause. I most earnestly hope that it will not be necessary for me to call an extra session of the legislature because of failure upon your part to do your duty.

Very respectfully, JOHN R. ROGERS, Governor.

On motion of Senator Taylor, as amended by Senator Crow, 2,500 copies of the communication were ordered printed, and the communication referred to the Committee on Corporations other than Municipal.

On motion of Senator Plummer, at 12 o'clock M., the Senate adjourned until 1:30 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Frink, Hill and T. J. Miller, who were excused, and Senator Baum.

On motion of Senator Harper, House bill No. 117, by Mr. Nelson, "An act to amend section 4 of an act approved March 18, 1895, entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor,'" was made a special order for consideration immediately after House bill No. 81.

The president announced the following members of the committee to take charge of and prepare the calendar on and after Monday, provided for in a resolution previously introduced and adopted: Senators Baum, Crow, Lesh, Taylor and High.

Unanimous consent was given for the introduction of the following bills:

Senate bill No. 274, by Senator Lesh: An act defining the duties of physicians, accoucheurs and surgeons.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to Committee on Education.

Senate bill No. 275, by Senator Runner: An act appropriating the sum of fifty-five thousand dollars (\$55,000) for the erection of a three story brick building and furnishing the same, at the Eastern Washington hospital for the insane.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 276, by Senator Houghton et al.: An act to abolish the office of lieutenant governor.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 277, by Senator Lesh: An act to amend sections 24 and 33 of an act entitled "An act defining a homestead and providing for the manner of the selection of the same," approved March 13, 1895.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 278, by Senator Lesh: An act providing for a constitutional amendment relating to the reduction of the salaries of the superior court judges.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate bill No. 279, by Senator Lesh: An act relating to penalty and interest on state, county and municipal taxes which were levied during the years of 1893 and 1894, and relating to the taxes, penalties and interest becoming due prior to the year of 1894, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senate memorial No. 11, by Senator Deckebach: Relative to enacting a law providing a tariff on imports.

The memorial was read the first time; and, on motion of Senator Deckebach, the rules were suspended, the memorial read the second time by title, the rules further suspended, the memorial read the third time and placed on its final passage.

It failed to pass by the following vote: Yeas 17, nays 6, absent or not voting 11.

Those voting yea were: Senators Cole, Deckebach, Easterday, Field, Hall, Harper, Lesh, Lewis, Megler, Paul, Pusey, Reinhart, Taylor, Van Patten, Warburton, Wilson, and Wooding—17.

Those voting nay were: Senators Crow, High, McReavy, Miller David, Plummer, and Yeend—6.

Absent or not voting: Senators Baum, Davis, Dorr, Frink, Hill, Houghton, Keith, Miller T. J., Range, Runner, and Washburn—11.

The president announced that the time had arrived for the consideration of House bill No. 81, by Mr. Land: An act creating a bureau of labor statistics, defining its duties, etc.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider the preceding House bill No. 81.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate without amendment.

It was then read the third time by sections, placed on its final passage, and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Houghton, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Warburton, Wilson, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Baum, Davis, Frink, Hill, Keith, Lesh, Miller T. J., Taylor, and Washburn — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer, the rules were suspended, and the bill ordered transmitted to the House immediately.

The president announced that the time had arrived for the consideration of House bill No. 117, by Mr. Nelson: An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor."

The bill was read the third time by sections.

Senator Warburton moved to amend section 1 by striking out the words "north of 47° 40' north latitude," in line 12 of the printed bill.

The amendment was lost.

On motion of Senator Harper, the bill was placed on its final passage.

It failed to pass by the following vote: Yeas 17, nays 4, absent or not voting 13.

Those voting yea were: Senators Cole, Crow, Dorr, Easterday, Harper, High, Houghton, Lewis, McReavy, Miller David, Plummer, Pusey, Range, Runner, Van Patten, Wilson, and Yeend — 17.

Those voting nay were: Senators Field, Lesh, Reinhart, and Warburton — 4.

Absent or not voting: Senators Baum, Davis, Deckebach, Frink, Hall, Hill, Keith, Megler, Miller T. J., Paul, Taylor, Washburn, and Wooding—13.

Senator Lesh gave notice that at the proper time he would move to reconsider the vote by which the preceding, House bill No. 117, failed to pass.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 148, entitled "An act relating to the sale of property under execution and decrees, and the confirmation of sheriff's sales, and repealing sections 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the redemption of real estate sold on decree of foreclosure and on execution," have examined and compared the same, and we respectfully report the same back as correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 257, An act entitled "An act providing for the correction and revision of a portion of the plat of Seattle tide lands and an appraisement of the lots in the portion so revised and corrected, authorizing and prescribing the manner of readjustment of existing rights in accordance therewith, and declaring an emergency," and the same is herewith transmitted to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 257.

Unanimous consent was given to take up Senate bill No. 250, by Senator David Miller: An act for the relief of George W. Babcock.

Senator Crow was called into the chair.

On motion of Senator David Miller, the Senate resolved itself into the committee of the whole to consider the above Senate bill No. 250.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate with the following amendment: Strike out section 2 and insert in lieu thereof the words:

SEC. 2. The state auditor is hereby authorized and directed to audit the claim of the said George W. Babcock and, if the same be found a just and proper charge and claim against the State of Washington, to draw a warrant on the state treasurer for said sum in favor of the said George W. Babcock, and the said state treasurer is hereby directed to pay said warrant out of any funds in the state treasury not otherwise appropriated.

On motion of Senator Easterday, the report of the committee of the whole was adopted.

Senator Wilson moved that the vote by which the report of the Committee on Claims and Auditing on the preceding Senate bill No. 250 was adopted be reconsidered.

The motion was carried.

On motion of Senator Houghton, the report was laid on the table.

On motion of Senator Dorr, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, Houghton, Lesh, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Wilson, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Baum, Davis, Frink, High, Hill, Keith, Miller T. J., Pusey, Range, Taylor, and Washburn — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator David Miller, the rules were suspended, and the bill ordered transmitted to the House immediately.

On motion of Senator Megler, Senate bill No. 261 (substitute for Senate bill No. 250), by the Committee on Claims and Auditing, "An act for the relief of George W. Babcock," was indefinitely postponed.

The conference committee on House bill No. 17 submitted the following report:

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

We, your conference committee, to whom was referred House bill No. 17, entitled "An act to amend an act, entitled 'An act to amend section six (6) of an act entitled "An act to prescribe the duties and fix the compensation of the reporter of the supreme court," approved December 20, 1889, and declaring an emergency,' approved February 26, 1896, and declaring an emergency," have had the same under consideration, and we respectfully report that the Senate committee refused to recede from the action of the Senate, and the House committee agreed to concur.

Respectfully submitted.

J. W. RANGE, Chairman.

I concur in this report:

C. W. DORR.

On motion of Senator Plummer, the report was adopted.

President Daniels resumed the chair.

On motion of Senator Taylor, at 4 o'clock P. M., the Senate adjourned until Monday at 12:30 o'clock P. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTIETH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 1, 1897. }
12:30 o'clock P. M. }

President Daniels called the Senate to order at 12:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Keith.

The journal of Saturday was read and approved.

Senator Crow presented a petition signed by R. F. Lewis and sixty other citizens of Pullman and vicinity, praying for the enactment into law of the bill known as the "Cline dispensary bill."

On motion of Senator Crow, the petition was referred to the Committee on Public Morals.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON STATE CHARITABLE INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred House bill No. 375, entitled "An act to amend section 1418 of volume 1 of Hill's Code, relating to the adoption of legal heirs," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. W. DORR, Chairman.

We concur in this report:

J. M. FRINK.

AUGUSTUS HIGH.

F. C. HARPER.

W. E. RUNNER.

REPORT OF COMMITTEE ON IRRIGATION AND ARID LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 174, entitled "An act providing for the disorganization and liquidation of irrigation districts which have no bonded indebtedness, and the winding up of their affairs," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows: In section 5, line 4 of printed bill, insert after the word "district," the words "in which actual construction work has been done."

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report:

L. C. CROW.

JOHN I. YEEND.

D. E. LESH.

. The report was adopted.

REPORT OF COMMITTEE ON EDUCATIONAL INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 175, entitled "An act making an appropriation for the improvement and equipment of the agricultural college experiment station and school of science, and for the reimbursement of the 'Morrill fund,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the itemized statement of appropriation provided for in the above entitled act be amended to read as follows:

For the library, \$1,000; for improvement of campus, \$1,000; for fitting up attic of administration building, \$2,500; for foundry, forge room and mining department, \$1,000; for museum, \$500; for sewerage system, \$1,000; for reimbursement of Morrill fund for one boiler for heat, light and power plant, \$1,500; for farm machinery and improved breeds of live stock, \$1,000.

And that, as above amended, the bill do pass.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report:

J. A. COLE.

J. C. VAN PATTEN.

DANIEL PAUL.

On motion of Senator Crow, the report was received, and the bill referred to the committee of the whole, to be considered at the same time as the general appropriation bill.

REPORT OF COMMITTEE ON STATE CHARITABLE INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred Senate bill No. 55, entitled "An act to create a home for the care of orphans, half orphans, foundlings and destitute children, and to provide for its maintenance," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. W. DORR, Chairman.

We concur in this report:

W. E. RUNNER.

F. C. HARPER.

AUGUSTUS HIGH.

J. M. FRINK.

On motion of Senator Range, the above Senate bill No. 55 was placed on general file.

REPORTS OF COMMITTEE ON PUBLIC REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 38, entitled "An act to provide for the payment of outstanding indebtedness, the establishment of a current expense fund, and declaring an emergency," have had the same under consideration,

and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

We concur in this report:

E. W. TAYLOR, Chairman.

JOHN I. YEEND.

J. M. FRINK.

THOS. J. MILLER.

JOSEPH HILL.

F. M. BAUM.

W. B. FIELD.

FRANK P. LEWIS.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 37, entitled "An act to make warrants receivable for certain taxes, limit their issue, and declare an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

We concur in this report:

E. W. TAYLOR, Chairman.

F. M. BAUM.

J. M. FRINK.

T. J. MILLER.

JOHN I. YEEND.

J. HILL.

W. B. FIELD.

FRANK P. LEWIS.

REPORTS OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 193, entitled "An act to encourage the use of wide tires on wagons in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.

FRANK P. LEWIS.

J. G. MEGLER.

J. A. DAVIS.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 240, entitled "An act to encourage the use of wide tires

on vehicles, and to protect the public highways of the state, and improve the same, by regulating the width of tires upon wagons made for carrying heavy burdens, and providing a penalty for violating the provisions thereof, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

In line 1, section 1 of the printed bill, strike out the words "ending April 1;" in line 2 strike out the word "who;" in line 12, after the word "making," insert the words "and filing;" in line 13, after the word "credited," insert the words "with such rebate;" in line 15, after the word "assessed," strike out the words "with such rebate;" in the same line, strike out the word "taken" and insert the word "made" in lieu thereof.

In line 4 of section 2, after the word "thereon," insert the words "without first having obtained the written consent of the county commissioner of the road district in whose territory said highway is situated: *Provided*, That parties receiving permits shall repair under the direction of the supervisor, or pay for all damages to the highway they may occasion."

Strike out section 5.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.

FRANK P. LEWIS.

J. G. MEGLER.

J. A. DAVIS.

On motion of Senator Hill, the report was adopted

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 191, entitled "An act to regulate the weight of loads to be carried on wagon tires of given width upon the public roads in the State of Washington, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.

FRANK P. LEWIS.

J. G. MEGLER.

J. A. DAVIS.

On motion of Senator Hill, the report was adopted.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 267, entitled "An act for the relief of Giles & Peat," have had the same under consideration, and we respectfully report the same

back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

J. W. RANGE, Chairman.

R. C. WILSON.

S. WARBURTON.

J. A. DAVIS.

On motion of Senator Wilson, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 266, entitled "An act appropriating the sum of four hundred and fifty-six dollars and twenty-five cents (\$456.25), payable to Mike Wanka and others, out of the general fund of the State of Washington, for materials and labor furnished in the construction of the Cheney normal school," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

J. W. RANGE, Chairman.

R. C. WILSON.

S. WARBURTON.

J. A. DAVIS.

On motion of Senator Range, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 220, entitled "An act for the relief of the Union Savings Bank and Trust Company, a corporation, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

J. W. RANGE, Chairman.

R. C. WILSON.

S. WARBURTON.

REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 262, entitled "An act relating to building and loan associations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

W. H. PLUMMER, Chairman.

J. A. DAVIS.

DANIEL PAUL.

E. W. TAYLOR.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 151, entitled "An act relating to railroads," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 417, entitled "An act to establish and fix reasonable maximum rates of charges for the transportation of freight by railroad companies and other common carriers doing business in the State of Washington, and to correct abuses and to prevent and prohibit discrimination by railroad companies and other common carriers doing business in the State of Washington, against persons, firms, companies, corporations and localities in the matter of said rates and facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and providing for penalties by fine or imprisonment, or both such fine and imprisonment, for a failure to observe rates and regulations and prohibitions so established and fixed as aforesaid, and providing a method for determining the reasonableness of such rates and regulations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass as amended.

Senators Crow and Runner dissent from that portion of the report fixing the maximum freight rate at \$4 per ton, and recommend that it be made \$3.75 per ton; they concur in the balance of the report.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

W. E. RUNNER.

C. W. DORR.

F. M. BAUM.

THOS. J. MILLER.

DAVID MILLER.

J. C. VAN PATTEN.

On motion of Senator Crow, the report was adopted, and the bill, as amended, ordered to be given the right-of-way, and printed immediately.

The committee appointed to visit the state university and New Whatcom normal school, submitted the following reports:

REPORT OF COMMITTEE TO VISIT NEW WHATCOM NORMAL SCHOOL.

OLYMPIA, WASH., February 24, 1897.

MR. PRESIDENT:

We, your committee appointed on behalf of the Senate to visit and inspect the state normal school at New Whatcom, beg leave to report as follows:

Leaving Olympia on Wednesday, February 17th, we arrived at New Whatcom on the following day, and immediately began a thorough inspection of the state normal school and the grounds surrounding the same. We found the site to be most admirably chosen on top of an elevation back of the city, affording a beautiful view of Bellingham Bay and the surrounding scenery, as well as providing the students abundant supply of fresh air and sunshine. The grounds were a gift to the state from the citizens of New Whatcom, and they comprise ten acres of good soil, susceptible of being greatly beautified as the institution grows. The building was found to be a modern structure in every respect, reflecting great credit upon the designers, Skillings & Corner, of Seattle. The building covers a space of one hundred and fifty by eighty-six feet eight inches. The foundation is constructed of sandstone, approved by the state inspector to be equal to Tenino stone in the capitol building. The footings of the foundation are five feet thick, and the walls of the foundation three feet six inches. The superstructure is of brick. The walls of the basement are two and one-half feet thick, and the walls of the first story two feet thick. The second story walls are twenty-one inches thick, constructed of pressed brick. The center of the building is four stories high, and the structure itself three stories. The interior is finished with Acme cement plaster, and steel laths in the basement and first story, and the auditorium in the second story. The balance of the building is not finished. The floor of the basement is made of concrete, the other floors being double and deafened. The wood finish of the interior is all of steamed and dried fir, finely finished and varnished. Besides room for the heating apparatus, there are several class rooms arranged in the basement.

Your committee desires to especially commend the faithful and industrious work done by Major Eli Wilkins, R. C. Higginson and John J. Edens, members of the local board of trustees, who cheerfully gave their time and energy to the erection of this building without compensation, and we also desire to commend the services of O. H. Culver, clerk of the board, for the intelligent and economic manner in which the duties of his office were discharged.

We understood that the building was only provisionally accepted by the local board of trustees, so we asked for a statement of account and received the following, which explains itself, from the clerk of the local board of trustees:

NEW WHATCOM NORMAL SCHOOL.

STATEMENT OF EXPENDITURES.

Paid to contractor on contract as executed.....	\$27,380 96
Paid to contractor for extra stone and drain work.....	707 70
Skillings & Corner, architects' commission.....	1,704 07
A. Lee, superintendent of construction for trustees.....	819 00
O. H. Culver, clerk of board of trustees to January 1, 1897.....	575 00
Excavation and grading to protect building.....	759 65
Experts on plans and grounds, and engineer.....	233 75
Traveling expenses of trustees and clerk.....	98 15
Office supplies, postage and incidentals.....	38 62
Extra electrical work and appliances.....	90 00
Tools for watchman for care of building.....	9 50
Replacing broken glass (broken in blasting rock).....	7 50
Making temporary stairway to top floor.....	5 00
Watchman's pay to February 20, 1897.....	35 00
Total expended for all purposes.....	\$32,463 90
Unexpended balance of appropriation.....	7,536 10

Under the terms of the contract providing for the retention of twenty per cent. of each and every estimate until the final completion of the building, so far as contemplated by the contract, and its acceptance by the trustees, there is yet to be paid to the contractor, Wm. B. Davey, approximately \$6,500, making allowance for certain credits due the state as agreed by the contractor, and for certain other deductions recommended by the architects in their final report, for work omitted or imperfectly done. The contractor has given orders upon the board, which have been filed with the clerk, amounting to \$13,028.16. Other claims, not covered by orders, but represented to be for material furnished, have been filed with the clerk to the amount of \$608.90, making the total of all claims to date \$13,637.06.

Respectfully submitted.

O. H. CULVER, Clerk.

After the inspection of the building and grounds, your committee attended a meeting of the local board of trustees, and for three hours discussed the condition and needs of the institution. As a result of this inspection and consultation with the board, we respectfully recommend that this legislature provide as generously as the finances of the state will permit, for the equipment and maintenance of the state normal school at New Whatcom.

On Friday afternoon your committee proceeded to Seattle to fulfill your instructions to visit and inspect the state university at Seattle, the results of which visit and inspection we will submit in a separate report.

Respectfully submitted.

J. A. DAVIS, Chairman.

DANIEL PAUL.

F. C. HARPER.

REPORT OF COMMITTEE TO VISIT STATE UNIVERSITY.

OLYMPIA, WASH., February 23, 1897.

MR. PRESIDENT:

We, your committee appointed on behalf of the Senate to visit and inspect the university of Washington, beg leave to report as follows:

We arrived in Seattle Friday evening, February 19, 1897, and early the next morning proceeded to the new grounds of the university, which comprise fractional section 16, township 25 north, range 4 east. Here we thoroughly inspected the buildings of the university as follows: The gymnasium and drill hall building we found a very commodious structure, the main portion of which covers a space 165 by 80 feet. In addition to this, there are dressing rooms, company rooms, and offices, making it a most useful and convenient structure. It cost the state, including all equipments, a little less than \$7,000. The next building inspected was the solid stone observatory, in which the instruments used at the old university were replaced. A visit was then paid to the power house on the shore of Lake Washington, which we found in such perfect surroundings that little could be added by way of improvements. The Seattle and International Railroad passes along the shore of the lake at this point, from which a spur has been constructed over the coal bunkers which lead directly into the power house by a system of chutes. In this way the fuel is placed at the door of the furnace with the least possible trouble and expense for handling. Lake Washington furnishes an inexhaustible supply of good water. The power house is a plain brick structure, and the equipment consists of two 100-horse-power boilers, one large Buffalo pump and two small auxiliary pumps, a 45-horse-power Ball automatic engine, one Westinghouse dynamo with capacity of 500 volts direct current. Steam is led to the buildings for heating purposes, and the dynamo furnishes electricity for power and for charging storage batteries in the main building.

We next inspected the main university building. This we found to be a large and beautiful structure, made almost entirely of native materials, comprising pressed brick from Spokane county, sandstone from Pierce county, granite from Snohomish county, terra cotta and lumber from King county. We found the laboratories in the basement of the building equipped with the most substantial and latest improved apparatus, care having evidently been taken to secure only the highest grade of instruments, even at the expense of a more complete equipment. There are three chemical laboratories giving evidence of daily use. The mineralogical laboratory is equipped with tile-topped tables furnished with gas for each worker. Numerous cabinets and other conveniences, such as scales, furnaces, crucibles, ore crushers, rock lathes, etc., show that this department is being kept in active operation by the recent impetus to mining development in the state. In the physical laboratory were found many of the most recently invented instruments for precise physical and electrical experiments. In the laboratories devoted to physiology, zoology and botany, we found a thorough equipment for class work, but there is sad need of cases and receptacles for the rapidly increasing collections of plants, insects, and other objects of natural history. We then inspected the museum, the heating and ventilating apparatus, the various lecture rooms, the assembly hall, and finally the library. The last we found to contain about six thousand volumes, of which fully two-thirds are United States government reports; excellent works in their line, but

failing to fulfill the requirements of a university library. This library certainly needs a generous equipment of works of reference in the several departments of instruction.

The records and accounts of the institution we found carefully preserved in the secretary's vault, a duplicate voucher being preserved for every expenditure, the originals being filed in the office of the state auditor.

We then examined the old grounds and buildings of the university in the city of Seattle. The buildings are old and of little value; but the grounds comprise ten acres in the center of the city, which may be sold upon the revival of business for a sum sufficient to reimburse the state for the outlay on new buildings and equipments.

Your committee then attended a meeting of the board of regents of the university, at which were discussed the condition and needs of the institution.

As a result of this meeting and inspection, we beg leave to make recommendations as follows:

First: That in providing for the maintenance for the institution for the next two years, an allowance be made just as liberal as the finances of the state will permit.

Second: That House bill No. 334, providing for the proper investment of fees, bequests, and gratuities, as amended by the House committee, be enacted.

Third: That House bill No. 321, providing for the proper preservation of the public documents of the state in certain libraries, be enacted.

Fourth: That House bill No. 322, providing for the location of the state museum in the museum of the university of Washington, as amended by the House committee, be enacted.

Respectfully submitted.

J. A. DAVIS, Chairman.

F. C. HARPER.

DANIEL PAUL.

On motion of Senator Dorr, the reports were ordered printed.

The committee appointed to visit the agricultural college and school of science, and the Ellensburg normal school, submitted the following report:

REPORT OF SPECIAL COMMITTEE ON AGRICULTURAL COLLEGE AND ELLENSBURG NORMAL SCHOOL.

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1897.

MR. PRESIDENT:

We, your committee appointed under Senate resolution passed Tuesday, February 11, 1897, to visit the agricultural college and school of science, and the normal school at Ellensburg, have performed the duties assigned to us and we respectfully report as follows:

FIRST.— AGRICULTURAL COLLEGE AND SCHOOL OF SCIENCE.

1. Your committee spent Monday and Tuesday, February 15 and 16, in the examination of buildings, campus and farm of the agricultural college and school of science at Pullman, and attended the class recitations of the different departments.

Happily for your committee the regents of the institution were holding a regular session of the board in their rooms in the administration building, which meeting, by invitation, your committee attended.

The board of regents, with Major E. S. Ingraham as president, and the faculty of the college with E. A. Bryan as president, courteously assisted your committee in this examination of their records and accounts, and the inspection of the property under their charge.

2. The expenditure by the regents of the sums appropriated by the last, the fourth, legislature brought full returns to the state.

The girls' dormitory is a commodious and well-finished structure, and is partly furnished. The regents secured a bargain in the purchase of the opera chairs for the assembly hall and the other furniture for the administration building. The relocation and enlargement of the heat and light plant has materially reduced the expenses of its maintenance and greatly increased its efficiency.

The dairy and piggery were a necessity, and are models as to arrangement and convenience.

3. The present condition and urgent needs of the institution are: An elevator in the girls' dormitory; walks and drives on and a general improvement of the campus; finishing attic of the administration building for class or recitation rooms; a foundry or forge room; addition to the museum; extension of sewerage system; additional farm machines and some new breeds of livestock; and lastly, a water supply and system of its own.

4. Your committee desires to call attention to the fact that in the near future the capacity of the girls' dormitory can and should be increased by furnishing rooms in the attic.

A horticultural barn and a biological laboratory should be erected.

5. Your committee visited the state farm or experimental sub-station of the college at Puyallup, on Friday, February 19, and were met by Mr. Fred. A. Huntly, the genial superintendent, and with him walked over the farm and noted the improvements and work accomplished.

Your committee are of the opinion that the law providing for the establishment and erection of a sub-station west of the Cascade mountains was passed under the impression that the national government would provide for its maintenance. And now, in view of the change of policy, or an unexpected ruling of the present secretary of the department of agriculture, that "the expenditure of funds provided in accordance with the provisions of an act of congress of March 2, 1887, for the maintenance of permanent sub-stations, is contrary to the spirit and intent of said act," the regents desire an appropriation of six thousand dollars (\$6,000).

The new secretary of agriculture may modify the former adverse ruling, and owing to the depressed financial condition of the people of

this state, your committee deem it inexpedient at this time to advise any appropriation for said sub-station.

In conclusion, your committee expresses entire satisfaction with the wise and economical management of the institution and expenditure of appropriations made by the last legislature, and respectfully recommends a generous compliance with the requirements of the regents, and as liberal appropriations for the ensuing two years as the state of the treasury will justify.

Your committee commends the harmonious and enthusiastic spirit prevailing between the members of the board of regents, the faculty and students.

SECOND.—STATE NORMAL SCHOOL AT ELLENSBURG.

Your committee spent Thursday, February 18, at the normal school at Ellensburg, and report:

1. The trustees, with Mr. Ralph Kaufman as president, and the faculty, with President P. A. Getz as principal, and the students, impressed your committee that perfect concord, harmony and sympathy exist among them, and that every one is controlled by the spirit of generous rivalry or rather emulation of who best can work and best agree.

2. Your committee carefully examined the record or minute book of meetings of the board and accounts and vouchers of disbursement, and found the same complete, explicit and correct, and that the affairs and business of the school have been economically and honestly administered. The trustees are entitled to a special and honorable mention for their strict attention to and prompt discharge of the duties devolving upon them, including frequent visits to the school, and for having served without claiming or receiving the compensation provided by law, or any compensation.

3. The primary or fundamental idea of a normal school is to train educated people how, as teachers, to impart their knowledge to others—how to teach. While this school, in common with normal schools in every state, necessitates considerable academic work, the normal work and idea is kept at the front. And your committee, after a careful investigation, and after personal attendance on class recitations, conclude that this institution is essentially a normal school—normal in fact, as it is in name. Since January 1, 1895, the number of separate new students entering this school was 302. These come from 29 counties; their average age is over twenty-one years, and about forty per cent. have been engaged in teaching prior to such entrance. Out of 128 students who have received certificates from this school, over 100 are now engaged in teaching.

4. Your committee desire to emphasize the necessity of a normal school training as a prerequisite for the would-be teacher. Teaching is, in fact, and should rightfully be considered, an honorable profession. All who desire to become members of this profession should thoroughly prepare themselves for scientific teaching. Holding these convictions, your committee suggests that a law should be passed, providing that on and after January 1, 1900, no teacher shall be employed who either shall not have

had at least three years' experience in teaching, or be a graduate of a normal school. If the state is to have and maintain good schools, it must command the services of good teachers. Good teachers are made better by scientific teaching, and such training can be had at the normal school. The scientific teacher is better able to render the maximum services for the money expended.

5. The conditions and needs of this school are:

The usual appropriation for maintenance; appropriations to complete the normal building so as to improve and provide additional rooms; and additions to the library.

6. This school will need in the near future two dormitories, one for girls and the other for boys.

In concluding this part of our report, your committee recommend this school to the most favorable consideration of the legislature, and that at least the usual appropriation for its improvement and maintenance will be made.

FINAL RECOMMENDATIONS.

In concluding and submitting this report, your committee is constrained to recommend the passage of laws providing for the distribution to the libraries of the state normal schools and colleges of copies of:

1. All bills introduced in both houses at each session of the legislature.
2. The journals of both houses.
3. Session Laws.
4. Reports of the several state departments and state institutions.
5. Reports of the state supreme court.
6. Abolishing the per diem and mileage of regents, trustees and directors of all state educational institutions, and providing for the payment of actual expenses which have been necessarily incurred in attending meetings.

All of which is respectfully submitted.

DAVID MILLER, Chairman.
L. C. CROW.
FRANK P. LEWIS.

On motion of Senator David Miller, the report was adopted, and ordered printed.

The committee appointed to visit the soldiers' home, at Orting, submitted the following report:

REPORT OF COMMITTEE TO VISIT SOLDIERS' HOME.

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your committee appointed to visit the soldiers' home at Orting, respectfully report as follows:

We visited the home on the 19th and spent the succeeding day there, examining the grounds, buildings and management. We found the institution well managed, and the buildings are kept in a neat manner.

The hospital is nearly full, and the number of inmates is constantly increasing, so much so that it will soon be necessary to engage nurses on salaries. At present a few of the able bodied inmates are paid a small sum to act as nurses.

Under the present law any discharged soldier or sailor who is a resident of this state is admitted to the home. Quite a number of them receive pensions from the government. From the report of the officers of the institution, we find that a large amount of the money thus received is used in dissipation. We attach hereto a letter from one of the managers.

We recommend the passage of Senate bill No. 172, to compel pensioners not having wives or minor children dependent upon them for support, to pay seventy-five per cent. of their pensions to the state for their support. By so doing the number of inmates of the home will be decreased, and those who do avail themselves of its hospitality will contribute in part to their support. We found the water supply inadequate for fire purposes, and as some insurance policies have expired, and others will soon lapse, we recommend that the expired policies be renewed, and that the policies about to expire be renewed upon their expiration.

Respectfully submitted.

E. C. KEITH, Chairman.

J. G. MEGLER.

C. M. EASTERDAY.

WASHINGTON SOLDIERS' HOME,

ORTING, WASH., February 20, 1897.

Senator Keith, Chairman :

In response to your request for a statement as to use of pensions received at the home, will say: The pensions now paid to inmates per quarter, as per vouchers, \$1,662; of this amount, \$366 goes to dependents; \$468 is paid to men who put a large part of same to bad uses; \$828 of the amount is a great detriment to the men and home, and costly to the state. In addition to above quarterly pensions, large amounts are sometimes paid on account of back payments. I will cite a few instances: One man, in less than seven months, squandered \$1,700; one in ten days over \$600; one \$150 in two days, and we got them back to build up again. I can name many, many, many other cases the same as above. See U. S. Laws, 1894.

Yours respectfully, GEO. H. BOARDMAN.

On motion of Senator Megler, the report was adopted, and ordered printed.

The committee appointed to visit the Cheney normal school and Eastern Washington hospital for the insane, submitted the following reports:

REPORT OF COMMITTEE TO VISIT THE CHENEY NORMAL SCHOOL.

MR. PRESIDENT:

We, your committee who visited the state normal school at Cheney, Washington, beg to present the following report:

Your committee arrived at Cheney on Thursday noon, February 18, and spent Thursday afternoon and Friday making as thorough examination of the condition of the school and other affairs appertaining thereto as the limited time at our disposal enabled us to do.

We found the school at present occupying the new building erected by the trustees during the past two years. It is our opinion that the same

is exceedingly well adapted for the purpose intended, and that the state has acquired a model building for the money which was appropriated for that purpose. We feel that the trustees, during the time of the construction, have earnestly devoted much time to this work, and have at all times shown a devotion to the state's interests that reflects not only credit on them, as trustees, but which is also evident in every transaction requiring the proper spirit of economy in public affairs.

In protecting the interests of the state, the trustees may have inadvertently and unintentionally caused hardships to claimants for material and labor furnished to the contractor of the building during its erection; but we deem their conduct proper and their actions in the matter unavoidable at the time.

The trustees built the normal school building so far as completed within the appropriation, and should be commended for their earnest work.

In reference to the present and past management of the school proper, your committee feels hardly able to offer an opinion, but is of the belief that the changes made by the trustees in the faculty were, in their opinion, for the betterment of the institution. The present faculty are held in the highest respect by both students and the board, and matters are now in such a favorable condition that the school will surely prove to be a valuable acquisition to our educational institutions of the state. We believe and would recommend, that in order to keep up the present high standard of the institution, no reduction of salaries would be advisable. The trustees, during the past year, have already greatly reduced many, if not all, salaries.

Your committee would recommend that a stricter and more rigid qualification be adopted for the admission of students to the school, and also, that a proper fee for each and every term be charged to students.

Respectfully submitted.

W. E. RUNNER, Chairman.
J. C. VAN PATTEN.
F. G. DECKEBACH.

REPORT OF COMMITTEE TO VISIT EASTERN WASHINGTON INSANE HOSPITAL.

MR. PRESIDENT:

We, your committee, sent to investigate and report to the Senate the condition of the Eastern Washington hospital for insane, beg leave to make the following report:

Your committee arrived at the hospital for insane at Medical Lake Tuesday, February 16, passing the afternoon of the 16th, all of the following day and part of the morning of the 18th, at the institution, and feel, therefore, that they are in a position to make a full and impartial report as to the management and condition of same. We feel it incumbent upon us to justly praise the efficiency, honesty and economy with which this institution has been directed, and desire here to state that the people of Washington, and especially the inmates of the asylum, are extremely fortunate in possessing such a well qualified, humane and gentlemanly servant as Dr. Semple, the superintending physician.

The health of all inmates appeared excellent, and a happy and contented disposition seemed to be evident. The discipline of patients and officers and employes was model, and neatness and cleanliness seemed to be a maxim at all times practiced in every detail. After fully considering all matters appertaining to the welfare of the hospital and its conditions, your committee would recommend the following:

Some provisions should be made in providing for the safe keeping of insane patients sent there from the state penitentiary. They should either be provided for at the penitentiary, or safer provisions made here at the asylum. They are a serious menace to the safety of all others at the hospital, and life and limb is at all times in jeopardy, as some of them had been sentenced for murder and are of an ugly disposition. Dr. Semple kindly placed before us some needed legislation which we herewith attach and make a part of our report. We deem his recommendations of great value, and feel they should be adopted. We also recommend the following amounts for appropriations for maintenance and other expenses, and attach the same herewith. The same we consider necessary for the successful and economic management of the hospital.

In justice to ourselves as a committee, we deem it necessary to apprise the legislature of the following facts concerning the present capacity of the institution, and the future requirements should the present annual increase continue.

"In 1891 this institution was opened with 122 patients, and the present year closes with 252. This is an average gain of 26 per annum, and this average is likely to be raised, as our increase last year was 34. Our capacity is 300, which will probably afford accommodations for all we are likely to receive until 1898. But if the matter of providing additional room be deferred until the legislature of 1899 takes action, we shall have fifty patients more than we can accommodate by the time the building is ready for occupation. It takes at least a year to complete a wing of the size needed after the appropriation is available."

Your committee would therefore recommend that an appropriation should be made at the present session, for an additional wing. We make this recommendation with great reluctance and only an imperative duty forces us to do so.

We earnestly recommend that the boiler house be removed to a safe distance away from the main building. In its present condition it is a continual menace to life and property. For this purpose we recommend an appropriation of \$4,000, and we further recommend that the following sums be appropriated for the purposes set forth, for the improvement of the institution, viz.:

Library.....	\$100 00
Dynamo and fixtures.....	1,000 00
Windmill and cistern.....	300 00
Telephone system.....	500 00
Repairs and improvements.....	1,000 00

Respectfully submitted.

W. E. RUNNER, Chairman.
J. C. VAN PATTEN.
F. G. DECKEBACH.

On motion of Senator Van Patten, the reports were adopted, and ordered printed.

The secretary read the following communications from the governor:

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 24, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 6, amending section 28 of the Penal Code.

Also, Senate bill No. 131, for the relief of the members of the electoral college. Very respectfully, J. E. BALLAINE, Private Secretary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 24, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 13, relating to assignments and satisfaction of mortgages.

Also, Senate bill No. 16, to amend sections 1075-76 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to the order of payment of debts of decedents.

Also, Senate bill No. 153, to amend section 2776 of the Code of 1881, relating to the duties of coroner when sheriff is incapacitated.

Very respectfully, J. E. BALLAINE, Private Secretary.

Unanimous consent was given for the introduction of the following bills:

INTRODUCTION OF BILLS.

Senate bill No. 280, by Senator Range: An act providing that the supreme court judges shall call meetings of the supreme and superior court judges not less than thirty nor more than sixty days immediately preceding each regular session of the legislature, at the court rooms of the supreme court, to consider laws necessary to be passed relating to the administration of justice, and providing for the payment of actual expenses of superior court judges in attending the meetings so called.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 281, by Senator Baum: An act relating to the service of process by sheriffs and other officers, and repealing section 2772 of the Code of 1881.

The bill was read the first time; and, on motion of Senator Baum,

the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 282, by Senator Deckebach: An act to prevent and exempt from sale or lease or disposition by the state of any of the Pacific ocean shore or beach situated within the State of Washington, and to rescind all contracts for the sale thereof heretofore made, by refunding all moneys already paid upon such contracts, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Deckebach, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 283, by Senator Range: A bill for an act to provide for the establishment of a state road extending from the city of New Whatcom to the head of navigable water on the Cowlitz river, and providing an appropriation therefor.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 284, by Senator McReavy: An act defining the crime of fornication, and punishing the same.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 285, by Senator Runner: An act for the relief of H. T. Winn.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 398, by Mr. Way: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to taxation.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 56, by Mr. Nelson: An act to amend section 13, chapter 162 of the Session Laws of the State of Washington for the year 1895, pertaining to the time of electing road supervisors, and repealing all acts and parts of acts in conflict therewith.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 126, by Mr. A. S. Bush: An act for the relief of the Ilwaco Railway & Navigation Company, and granting to said company the right to construct, equip, maintain and operate its railroad and wharf over and upon certain tide lands in front of the town of Ilwaco, Pacific county, Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Meg-ler, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House memorial No. 13, by Mr. Caywood: A memorial to con-gress praying that an appropriation of \$25,000 made in the last river and harbor bill for the improvement of Clearwater river be supplemented in the next river and harbor bill by an appropriation of not less than that amount for the continuance of the work.

The memorial was read the first time; and, on motion of Senator Wilson, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

House bill No. 281, by Mr. Hansen: An act amending an act en-titled "An act exempting the proceeds of life insurance from lia-bility for debt, and declaring an emergency," approved March 20, 1895.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 473, by Mr. Rader: An act providing for an amendment to section 6 of article 7 of the constitution of the State of Washington authorizing a system of non-interest bearing state warrants, receivable for taxes.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitu-tional Revision.

House bill No. 113, by Mr. Wilkeson: An act providing for the dissolution of municipal corporations of the third and fourth classes, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 291, by Mr. Geraghty: An act relating to the qualifications of officers of cities and towns, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 439, by Mr. Hansen: An act to amend sections 1, 2, 4 and 5 of chapter 27 of the Session Laws of 1893, an act entitled "An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor," approved February 23, 1893.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

The president announced that the time had arrived for the consideration of Senate bill No. 148, by Senator Cole: An act for the regulating of the sale of property under execution and decrees.

Unanimous consent was given for Senator Easterday to introduce the following amendment: In section 1, line 16 of the printed bill, strike out the word "for;" also, in the same line, strike out the word "consecutively," and insert in lieu thereof the words "prior to date of sale."

The amendment was adopted.

On motion of Senator Cole, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 24, nays 7, absent or not voting 3.

Those voting yea were: Senators Cole, Crow, Davis, Easterday, Field, Frink, High, Hill, Houghton, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhardt, Runner, Taylor, Van Patten, Wooding, and Yeend — 24.

Those noting nay were: Senators Baum, Deckebach, Dorr, Hall, Warburton, Washburn, and Wilson — 7.

Absent or not voting: Senators Harper, Keith, and Lewis — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Cole, the rules were suspended, and the bill ordered transmitted to the House immediately.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 262, entitled "An act providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of cities of the first class, prescribing the conditions under which the same may hereafter be disposed of, and declaring an emergency;" and the same is herewith transmitted to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 262.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

The House has passed House bill No. 420, by Mr. Hooper, An act to regulate and establish passenger rates on railroads in the State of Washington.

On motion, the same was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

On motion of Senator Runner, the Senate took up Senate bill No. 151, by Senator Runner: An act relating to railroads.

On motion of Senator Runner, the bill was placed on its final passage.

The bill failed to pass by the following vote: Yeas 15, nays 12, absent or not voting 7.

Those voting yea were: Senators Crow, Dorr, Easterday, Field, Harper, Lesh, Lewis, Miller David, Miller T. J., Reinhart, Runner, Taylor, Warburton, Wilson, and Yeend — 15.

Those voting nay were: Senators Baum, Davis, Deckebach, Frink, High, Hill, McReavy, Megler, Paul, Pusey, Van Patten, and Washburn — 12.

Absent or not voting: Senators Cole, Hall, Houghton, Keith, Plummer, Range, and Wooding — 7.

Senator Dorr gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill, No. 151, failed to pass.

Pursuant to notice given on Saturday, February 27, 1897, Sen-

ator Lesh moved to reconsider the vote by which House bill No. 117, by Mr. Nelson, "An act to amend section 4 of an act approved March 18, 1895, entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor,'" failed to pass.

The motion was carried.

Senator Warburton moved that the sifting committee be instructed to place the bill at the head of the calendar for Thursday.

Senator Crow moved as an amendment that it be placed on its final passage.

The amendment was carried, and the motion, as amended, prevailed.

The bill was then passed by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Hall, Keith, and Range — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president announced that the time had arrived for the consideration of Senate bill No. 116, by Senator Crow: An act relating to deficiency judgments.

The bill was read the third time by sections.

Senator Wilson moved to strike out section 2.

Senator Taylor moved to amend by striking out section 2 and inserting in lieu thereof the following: "Section 2. Sections 626 and 628 of volume 2, Hill's Annotated Statutes and Codes of Washington, are hereby repealed."

Senator Wilson moved as a substitute that the bill be made a special order for Thursday, March 4, 1897, at 11 o'clock A. M.

The president declared the substitute out of order.

Senators Dorr, Megler and Plummer appealed from the decision of the chair.

The Senate refused to sustain the decision of the chair.

The substitute of Senator Wilson was lost.

Senator Plummer moved to amend section 1 by striking out section 1 and inserting in lieu thereof the following: "Section 1. That hereafter in all legal and equitable proceedings and judgments rendered on any instrument, or instruments, which are given to secure the payment of money, and property is mortgaged to secure the said payment, the remedy of the holder of any of the said instruments shall be confined to the property described in any instrument pertaining to said transaction."

Senator Crow offered the following substitute: Strike out section 1 and insert: "Section 1. That in all proceedings for the foreclosure of mortgages hereafter executed, or upon judgments rendered upon the debt thereby secured, the mortgagee or assignee shall be limited to the property included in the mortgage."

The substitute was adopted.

Senator Dorr moved to strike out section 2.

The motion was lost.

The bill was referred to the Committee on Engrossed Bills.

The president announced that the time had arrived for the consideration of Senate bill No. 141, by Senator Lesh, "An act relating to exemptions of personal property."

The bill was read the third time by sections.

On motion of Senator Taylor, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 5, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Easterday, Field, Frink, Harper, Hill, Houghton, Lesh, Lewis, McReavy, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, Wooding, and Yeend — 25.

Those voting nay were: Senators Hall, Miller David, Paul, Warburton, and Washburn — 5.

Absent or not voting: Senators Dorr, High, Keith, and Megler — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill No. 141 was passed.

The president announced that the time had arrived for the con-

sideration of Senate bill No. 149, by Senator Warburton: An act relating to contracts of insurance.

The bill was read the third time by sections, and referred to the Committee on Engrossed Bills.

The president announced that the time had arrived for the consideration of Senate bill No. 172 (substitute for Senate bill No. 81), by Committee on State Charitable Institutions: An act to amend section 2 of an act of the legislature of the State of Washington, entitled "An act to provide for the establishment and maintenance of a home for honorably discharged union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who were bona fide citizens of this state," approved March 26, 1890.

The bill was read the third time by sections.

On motion of Senator Dorr, section 1 was amended by striking out the words "which" and "save," in line 19 of the printed bill, and inserting in lieu of the latter the words "and the remaining;" also, by inserting after the word "same," in line 20 of the printed bill, the words "with the treasurer of the board of trustees;" also, by inserting before the word "which," in line 18 of the printed bill, the words "seventy-five per cent. of."

On motion of Senator Easterday, section 1 was further amended by inserting after the word "all," in line 5 of the printed bill, the words "indigent and;" also, by inserting after the word "discharge," in line 23 of the printed bill, the words "and not returned to the treasurer of the board of trustees."

Senator Range moved to strike out all of section 1 between the the word "home," in line 14 of the printed bill, and the word "any," in line 28 of the printed bill.

The motion was lost.

The bill was referred to the Committee on Engrossed Bills.

The president announced that the time had arrived for the consideration of Senate bill No. 252, by Senator T. J. Miller: An act relating to the disposition of moneys received from the United States for the support of the soldiers' home of the State of Washington.

The bill was read the third time by sections.

On motion of Senator T. J. Miller, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, High, Hill, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Deckebach, Harper, Houghton, Keith, Lesh, Pusey, Range, and Warburton — 8.

The emergency clause was passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, High, Hill, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Deckebach, Harper, Houghton, Keith, Pusey, Reinhart, and Warburton — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller, the rules were suspended, and the bill ordered transmitted to the House immediately.

The following resolution was introduced by Senator Yeend:

Resolved, That the services of Miss McEachren, as Senate stenographer, be dispensed with, and the secretary draw a warrant for her pay, including this day.

The resolution was adopted.

The president announced that the time had arrived for the consideration of Senate bill No. 188, by Senator Lesh: An act creating a board of forest commissioners, defining its powers and duties, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Lesh, the rules were suspended, the bill considered engrossed, and placed on its final passage:

It was then passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul,

Plummer, Pusey, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Baum, Keith, McReavy, Range, and Runner — 5.

The emergency clause was passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lesh, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Baum, Keith, Lewis, McReavy, and Runner — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Easterday, the rules were suspended, and the bill ordered transmitted to the House immediately.

Senator T. J. Miller moved that the Senate adjourn until tomorrow at 10 o'clock A. M.

The motion was lost.

The president announced that the time had arrived for the consideration of Senate bill No. 237, by Senator Lesh: An act for the prevention and suppression of forest fires, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Frink, section 4 was amended by striking out the fraction " $\frac{1}{8}$," in line 3 of the printed bill, and inserting in lieu thereof the fraction " $\frac{1}{4}$."

On motion of Senator Dorr, all of section 1 after the word "months," in line 6 of the printed bill, was stricken out.

Senator T. J. Miller offered the following amendment to section 1: After the word "months," in line 6 of the printed bill, insert "*Provided*, That persons, for the purpose of clearing land, shall be allowed to start fires upon their own premises by posting notices on the land three days prior to setting such fire."

Senator High offered the following substitute: After the word "months," in line 6 of the printed bill, insert "*Provided*, This

act shall not apply to a person lawfully setting fire to slashings or clearings on his own premises.”

The substitute failed of adoption.

The original amendment was lost.

On motion of Senator Wilson, section 1 was amended by striking out the word “willfully,” in line 1, and also in line 3 of the printed bill, and inserting in lieu thereof the word “maliciously.”

On motion of Senator Wilson, section 2 was amended by inserting after the word “shall,” in line 1 of the printed bill, the words “maliciously, negligently, or carelessly.”

On motion of Senator Crow, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 32, nays 0, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Keith and Range — 2.

The emergency clause failed to pass by the following vote: Yeas 4, nays 29, absent or not voting 1.

Those voting yea were: Senators Warburton, Washburn, Wilson, and Wooding — 4.

Those voting nay were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 29.

Absent or not voting: Senator Keith.

On motion of Senator Megler, the title was amended by striking out the words “and declaring an emergency.”

On motion of Senator Dorr, at 5:35 o'clock P. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 2, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senator Davis, who was excused.

Senator Keith was excused for being absent yesterday.

Senator Crow was called to the chair.

The journal of yesterday was read.

On motion of Senator Range, that portion of the record containing the amendment of Senator Range to Senate bill No. 116 was expunged.

The journal was approved.

President Daniels resumed the chair.

Senator Crow presented a petition signed by Fred. C. Doolittle and 289 other citizens of Whitman county, praying for the enactment into law of House bill No. 255, known as the "Cline dispensary bill."

On motion of Senator Crow, the petition was referred to the Committee on Public Morals.

The secretary read a similar petition signed by W. W. Dexter and 261 other citizens of the State of Washington.

On motion of Senator Crow, the petition was referred to the Committee on Public Morals.

Senator Easterday presented a petition signed by Addison Smith and 409 other citizens of Seattle, praying for the enactment into law of Senate bill No. 15.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

The House has passed House bill No. 318, by Mr. Winsor, An act providing for the disposition of funds collected for road purposes.

Also, House bill No. 221, by Mr. Likins, An act providing for an educational university.

Also, House bill No. 367, by Mr. Wolf, An act regulating the practice of pharmacy.

Also, House bill No. 334, by Mr. Land, An act in support of the university of Washington.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 17, entitled "An act to amend an act entitled 'An act to amend section 6 of an act entitled 'An act to prescribe the duties and fix the compensation of the reporter of the supreme court.

Also, House bill No. 81, entitled "An act creating a bureau of labor."

Also, House joint resolution No. 16, A memorial relative to the establishment of a national soldiers' home, at Fort Sherman, Idaho.

And the same are herewith transmitted for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

Senate concurrent resolution No. 22 was introduced by Senator Taylor, as follows:

Resolved by the Senate, the House concurring: That five hundred copies each of the Senate and House Journals of the present session be printed and bound, for distribution as follows, to wit: One copy of each to the librarian of congress; one copy of each to each member of the present legislature and the elective state officers; one copy of each to the librarian of each state, territory and the District of Columbia; one copy of each to the president, secretary, assistant secretary, minute clerk, journal clerk and sergeant-at-arms of the Senate; one copy of each to the chief clerk, assistant clerk, reading clerk, journal clerk and sergeant-at-arms of the House; one copy of each to each county auditor for the use of his county; the remaining copies to the state librarian for future distribution, who is hereby empowered to sell them to citizens of the state, not to exceed one copy to any person, at a price not to exceed the cost of the same: *Provided*, That the fund received from the sale of such copies shall be turned into the general fund of the state treasury.

On motion of Senator Taylor, the resolution was adopted.

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 238, entitled "An act amending section 62 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to the taking of

saw logs or timber without permission," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

S. D. REINHART, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOHN McREAVY.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 172, entitled "An act to amend section 2 of an act approved March 26, 1890, relating to admission to the soldiers' home," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. W. RANGE.

REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 257, entitled "An act to amend section 6 of an act entitled 'An act to prevent and punish gambling,' approved November 13, 1879," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

R. C. WASHBURN.

W. B. FIELD.

On motion of Senator Van Patten, the report was adopted.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 149, entitled "An act relating to contracts of insurance," have examined and compared the same, and report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

SENATE CHAMBER.

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 116, entitled "An act relating to deficiency judgments," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

REPORT OF COMMITTEE ON MANUFACTURES.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate bill No. 214, entitled "An act to amend sections 5 and 11 of an act entitled 'An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens and the benefit thereof, and the manner and procedure of obtaining the same,' approved March 15, 1893," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. M. FRINK, Chairman.

We concur in this report:

F. C. HARPER.

JOHN McREAVY.

REPORTS OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 206, entitled "An act relating to the election of road supervisors," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report:

J. G. MEGLER.

JOHN McREAVY.

S. WARBURTON.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 192, entitled "An act relating to a state road commission," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report:

J. G. MEGLER.

JOHN McREAVY.

S. WARBURTON.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 226, entitled "An act relating to superior court commissioners, and amending section 1 of an act entitled 'An act relating to the appointment, powers and duties of superior court commissioners, and declaring an emergency,' approved March 19, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Wilson, Dorr, Lewis, Washburn, Plummer, and Warburton.

SENATE CHAMBER.

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 232, entitled "An act relating to the confirmation of sheriffs' sales," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

All the members of said committee concurring.

On motion of Senator Taylor, the report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 45, entitled "An act relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of the peace by persons other than sheriffs and constables," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill herewith be substituted therefor, and that said substitute do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Taylor, Lewis, Wilson, Houghton, Warburton, Plummer, and Dorr.

On motion of Senator Easterday, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 147, entitled "An act fixing the per diem and mileage of witnesses in criminal actions," have had the same under consideration, and we respect-

fully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

All the members of said committee concurring.

REPORT OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 201, entitled "An act repealing chapter 123 of the Laws of 1893; an act providing for the establishment of a system of improved roads in counties, and for the manner of laying out, constructing and maintaining the same," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report:

J. G. MEGLER.

JOHN McREAVY.

S. WARBURTON.

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred House bill No. 244, entitled "An act establishing legal rate of interest, and to prevent usury," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

AUGUSTUS HIGH.

JOHN McREAVY.

I dissent:

S. D. REINHART.

Senator T. J. Miller moved that the above, House bill No. 244, be placed on general file.

Senator Dorr moved to amend by adopting the report of the committee.

The amendment was carried, and the motion as amended prevailed.

REPORT OF COMMITTEE ON STATE GRANTED, SCHOOL AND TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 126, entitled "An act for the relief of

the Ilwaco Railway and Navigation Company, and granting to said company the right to construct, equip, maintain and operate its railroad and wharf over and upon certain tide lands in front of the town of Ilwaco, Pacific county, Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

C. M. EASTERDAY.

J. G. MEGLER.

J. C. VAN PATTEN.

DAVID MILLER.

REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 113, entitled "An act providing for the dissolution of municipal corporations of the third and fourth classes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

D. E. LESH, Chairman.

E. C. KEITH.

DAVID MILLER.

V. A. PUSEY.

W. H. PLUMMER.

H. E. HOUGHTON.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 152, entitled "An act to regulate the sanitary construction of house drainage and plumbing," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments: In section 1, line 2, insert after the word "in" the words "cities of the first class in." In section 3, line 1, strike out "and each town of five thousand inhabitants or more," and insert after "city" the words "of the first class." In line 12, section 3, insert in blank space "first day of July, 1897." In section 5 strike out from line 1 "or town" and in line 6 "or towns." In section 6, line 1, strike out "or town of five thousand inhabitants or more" and insert after "city," the words "of the first class." Strike out section 7, and number the two next sections 7 and 8 respectively.

Respectfully submitted.

We concur in this report:

D. E. LESH, Chairman.

W. H. PLUMMER.

E. C. KEITH.

DAVID MILLER.

V. A. PUSEY.

H. E. HOUGHTON.

On motion of Senator Lesh, the report was adopted.

The committee appointed to visit the school for defective youth submitted the following report:

REPORT OF COMMITTEE TO VISIT SCHOOL FOR DEFECTIVE YOUTH.

To the President and Members of the Senate of the State of Washington:

We, the members of the special committee appointed to examine into the affairs of the state school for defective youth, beg leave to submit the following report:

The committee passed two days at Vancouver, February 18th and 19th, making as complete an examination of the school and its operations as time and circumstances would permit. The buildings and school property were carefully inspected, and the routine of school work followed for one day in the different departments, for the deaf and dumb, blind and feeble minded. The committee was deeply impressed with the noble efforts being made by the state to assist those unfortunate members of society, who, but for the instruction offered in an institution of this sort, would inevitably lead useless, hopeless lives, if they do not become helpless charges upon the community. The committee does not hesitate to say that the state is doing no better, more benevolent or grandly humane work than that now being accomplished at the Vancouver school, where a new world is being opened to the afflicted, and an opportunity offered to them to become good citizens, able to support themselves, and lead happy, useful lives. This committee can only repeat the high commendations which have hitherto been passed upon the efficient supervision exercised by Director James Watson. With a lifetime given to this work, he has shown himself to be careful and conscientious in the discharge of the responsible and often trying duties devolving upon him as the head of an institution of this character, and equal praise is perhaps due to Mrs. Watson, the matron, to whose able co-operation is due in no small degree the good work accomplished by the girls in the institution. In fact, the committee was impressed with the idea that there has been a happy choice in the matter of director and assistants, especially when the peculiar nature of the duties performed is concerned, and account is taken of the growing demand for such services in the larger and more populous states of the union. Kindness seems to be the rule of government in all departments of the school, and the exercise of patience and gentleness in the work of instruction results in most affecting evidence of regard and devotion from pupils of both sexes. The instructors are generally those who have devoted their lives to labor in this special field, a profession in itself, and the most modern and universally approved methods and systems have been adopted for class rooms and dormitory.

The committee found the school property generally in good condition. There is an air of order and neatness throughout the building, and abundant evidence that diligence is constantly exercised with a view of promoting cleanliness and preventing waste or decay through negligence in the proper care of the state property. It should be remarked, however, that

the roof of the main building, tenanted by the deaf and blind, is in need of repairs in order that injuries to the interior through rains may be prevented. The building is in need of painting on the exterior, and if this were done there is no doubt the unusual absorption of moisture through the brick walls would be prevented in a large measure.

The committee calls attention to the published reports of the director and board of trustees, together with the estimates made for the maintenance of the schools for the next two years. While some of the requests of the trustees are reasonable, and their granting would result to the benefit of the institution, yet, in view of present financial conditions, we are constrained to advise that the appropriations for hospital building, steam laundry, new sewer, and electric light for school for feeble-minded be not allowed. The committee has carefully gone over the tabulated estimates of running expenses and reduced them to what it believes to be the lowest figures consistent with an efficient management of the school. Increases in salaries have invariably been disallowed, and suggested additions to the corps of instructors have been recommended for postponement until more favorable conditions prevail. There has been a gradual increase in the attendance in both schools, which is likely to continue in the future, and the committee is of the opinion that no sweeping and wholesale reductions in the cost of maintenance can be affected without seriously interfering with the great and humane work now being done for a class of persons who, because of their affliction, are entitled to help, instruction and encouragement from those who are more fortunate and less sorely tried.

The committee attaches a schedule of expenses as approved by it, and suggests that the same be referred to the Committee on Appropriations.

Respectfully submitted.

J. A. COLE, Chairman.

AUGUSTUS HIGH.

R. C. WASHBURN.

On motion of Senator High, the report was ordered printed.

House bill No. 334, by Mr. Land: An act to aid in the support of the university of Washington.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

House bill No. 318, by Mr. Winsor: An act providing for the disposition of certain funds collected for road purposes from property subsequently included within the corporate limits of any city or town, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 221, by Mr. Likins: An act to provide for an educational university.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

House bill No. 367, by Mr. Wolf: An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons, wines, spirituous and malt liquors in the State of Washington; defining crimes and misdemeanors and prescribing penalties in cases of the violation thereof, and repealing chapter 153 of the Session Laws of 1891, being entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons, in the State of Washington," approved March 9, 1891, and also repealing chapter 113 of the Session Laws of 1893, being entitled "An act to amend section 8, chapter 153 of the Session Laws of 1891 of Washington, regulating the practice of pharmacy, approved March 9, 1891, and declaring an emergency," approved March 10, 1893, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

ENGROSSED BILLS.

Senate bill No. 116, by Senator Crow: An act relating to deficiency judgments.

Senators Plummer, Taylor and Wilson moved the previous question.

The motion was lost.

At 12:05 o'clock P. M., Senator Dorr moved to adjourn until 2 o'clock P. M.

Senator Taylor moved to amend, by adjourning until 1:30 o'clock P. M.

The motion to adjourn until 2 o'clock, was lost by the following vote: Yeas 13, nays 17, absent or not voting 4.

Those voting yea were: Senators Deckebach, Dorr, Frink, Hall, Houghton, Lewis, McReavy, Megler, Paul, Warburton, Washburn, Wilson, and Wooding — 13.

Those voting nay were: Senators Baum, Crow, Easterday, Field, Harper, High, Hill, Keith, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 17.

Absent or not voting: Senators Cole, Davis, Lesh, and Pusey — 4.

The motion to adjourn until 1:30 o'clock P. M., was carried, and at 12:10 o'clock P. M., the Senate adjourned.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

ENGROSSED BILLS.

Senate bill No. 116, by Senator Crow, "An act relating to deficiency judgments," which was under consideration at the time of adjournment of the morning session, was again taken up.

Senators Crow, Keith and Easterday demanded a call of the Senate.

All of the members answered to their names except Senators Baum, High and Houghton.

Senator Dorr moved that the further call of the Senate be dispensed with.

The motion was lost.

Senator High answered to his name.

On motion of Senator Crow, the further call of the Senate was dispensed with.

Senate bill No. 116 was placed on its final passage.

It was then passed by the following vote: Yeas 19, nays 11, absent or not voting 4.

Those voting yea were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, and Yeend — 19.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Frink, Hall, Harper, Lesh, Lewis, Megler, Warburton, and Washburn — 11.

Absent or not voting: Senators Baum, Houghton, Pusey, and Wooding — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill, No. 116, was passed.

Senate bill No. 149, by Senator Warburton: An act relating to contracts of insurance.

Unanimous consent was given for Senator Warburton to introduce the following amendment, which becomes section 4: "That the provisions of this act shall not apply to secret or fraternal societies, lodges or councils, which conduct their business and secure membership on the lodge system, having ritualistic work and ceremonies in their societies, lodges or councils."

The amendment was adopted.

The bill was placed on its final passage, and passed by the following vote: Yeas 28, nays 3, absent or not voting 3.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend—28.

Those voting nay were: Senators Hall, Hill, and Lewis—3.

Absent or not voting: Senator Baum, Houghton, and Lesh—3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Range, the rules were suspended and the bill ordered transmitted to the House immediately.

Senate bill No. 172 (substitute for Senate bill No. 81), by Committee on State Charitable Institutions: An act to amend section 2 of an act of the legislature of the State of Washington entitled "An act to provide for the establishment and maintenance of a home for honorably discharged union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who were bona fide citizens of this state," approved March 26, 1890.

The bill was placed on its final passage, and passed by the following vote: Yeas 28, nays 1, absent or not voting 4.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer,

Pusey, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 28.

Senator Range voted nay.

Absent or not voting: Senators Baum, Hall, Houghton, and Lesh — 4.

The emergency clause was passed by the following vote: Yeas 26, nays 4, absent or not voting 4.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Easterday, Frink, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Rinehart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 26.

Those voting nay were: Senators Crow, Plummer, Range, and Runner — 4.

Absent or not voting: Senators Baum, Field, Hall, and Houghton — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler, the rules were suspended, and the bill ordered transmitted to the House immediately.

GENERAL FILE.

Senate bill No. 134, by Senator Easterday (by request): An act in relation to proceedings in probate, amending sections 1299, 1300, 1311, 1361, 1399 and 1556 of the Code of Washington of 1881, as amended, respectively, by sections 845, 846, 848, 873, 911 and 1069 of volume 2 of Hill's Annotated Statutes and Codes of Washington, etc.

The bill was read the third time by sections.

On motion of Senator Crow, the words "be it enacted by the legislature of the State of Washington," were inserted before section 1.

On motion of Senator Easterday, the following sections were added:

SEC. 31. That section 1086, volume 2 of Hill's Annotated Statutes and Codes of Washington be amended to read as follows: Sec. 1086. At any time after the issuing of letters testamentary or of administration, the surviving spouse of a community, or any person interested in the estate, or heir, devisee or legatee, may present his petition to the court, praying that the legacy of the estate or share to which he is entitled may be given to him upon his giving bonds to the amount and value of the

estate to be set apart for the payment of his proportion of the debts of the estate.

SEC. 32. That section 1089, volume 2 of Hill's Annotated Statutes and Codes of Washington be amended to read as follows: Sec. 1089. If at the hearing it appear that the estate is but slightly indebted and that the share of the party or parties applying may be allowed to him or them, without injury to the creditors or heirs or devisee or legatee of the estate, the court shall make a decree in conformity with the prayer of the applicant or applicants: *Provided*, The court must require a bond to be executed by the applicant or applicants to the State of Washington in such sum as may appear necessary to indemnify any heir, devisee or legatee or creditor as could be required for such interest or proportion thus set apart.

SEC. 33. That section 1093, volume 2 of Hill's Annotated Statutes and Codes of Washington be amended to read as follows: Sec. 1093. Whenever any bond has been executed and delivered, under the provisions of the preceding section, and it becomes necessary for the settlement of the estate to require the payment of any part of the money thereby secured, the court shall make an order for the party bound to appear and show cause why the sum so required should not be paid. At the hearing, the court, if satisfied of the necessity of such payment, shall make an order accordingly, designating the amount and giving a time within which it shall be paid. If the money be not paid within the time allowed, execution may issue as provided by law for the issuing of executions in judgments.

On motion of Senator Easterday, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 34, nays 0, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

On motion of Senator Easterday, the title was amended to read as follows: An act in relation to proceedings in probate, amending sections 845, 846, 848, 873, 911, 1069, 849, 862, 863, 867, 868, 876, 877, 878, 903, 912, 950, 977, 979, 984, 1003, 1021, 1063, 1079, 1086, 1089 and 1093 of volume 2 of Hill's Annotated Statutes and Codes of Washington; and sections 1006 and 1007 of volume 2 of Hill's Annotated Statutes and Codes of Washington, as amended

by the act of March 21, 1895; and repealing sections 850 and 1060, 864, 889, 1057, 1058, 1059, 1061 and 1062 of volume 2 of Hill's Annotated Statutes and Codes of Washington.

Senate bill No. 186, by Senator Taylor: An act relating to the settlement of community estates and estates held in common, and amending sections 1086, 1089 and 1093, volume 2 of Hill's Annotated Statutes and Codes of Washington.

On motion of Senator Taylor, the bill was indefinitely postponed.

Senate bill No. 233, by Judiciary Committee: An act to amend section 1443 of the Code of Washington of 1881, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, and in regard to settlement of estates of decedents.

The bill was read the third time by sections.

On motion of Senator Plummer, section 1 was amended by inserting the word "shall" after the word "testament," in line 12 of the printed bill; also, by striking out the word "provided," the first word in line 13 of the printed bill, and inserting in lieu thereof the word "provide."

On motion of Senator Warburton, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Houghton, Lesh, and Reinhart — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 65, by Senator Harper: An act to amend section 1443 of the Code of Washington of 1881, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, and in regard to settlement of estates of decedents.

On motion of Senator Taylor, the bill was indefinitely postponed.

Senator Crow was called into the chair.

House bill No. 234, by Mr. McAtee: An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act, and declaring an emergency.

The bill was read the third time by sections.

Senator Taylor moved to amend section 7, by inserting the words "or wild pigeon," after the word "ptarmigan," in line 2 of the printed bill.

The amendment was lost.

Senator Lesh moved to amend section 7, by striking out the word "fifteenth," and inserting in lieu thereof the word "first," in line 3 of the printed bill.

The amendment was lost.

Senator Lesh moved to amend section 7, by striking out the words "sage hen," in line 2 of the printed bill.

The amendment was lost.

Senator Range moved to strike out section 20.

The motion was lost by the following vote: Yeas 12, nays 18, absent or not voting 4.

Those voting yea were: Senators Deckebach, Field, High, Hill, Lesh, Lewis, Paul, Pusey, Range, Reinhart, Runner, and Washburn — 12.

Those voting nay were: Senators Baum, Cole, Crow, Davis, Easterday, Frink, Hall, Harper, Houghton, McReavy, Megler, Miller David, Miller T. J., Plummer, Van Patten, Warburton, Wilson, and Yeend — 18.

Absent or not voting: Senators Dorr, Keith, Taylor, and Wooding — 4.

Senator Cole moved to amend section 20 by striking out lines 7 and 8.

The amendment was lost.

On motion of Senator Taylor, section 20 was amended by striking out the word "deputy," in line 6 of the printed bill.

On motion of Senator Taylor, section 20 was further amended by striking out the words "appointed by the sheriff of such county as deputy sheriff and," in line 5 of the printed bill.

Senator High moved to amend section 20 by striking out the

word "fifty" and figures "50," in line 7 of the printed bill, and inserting in lieu thereof the word "ten" and figures "10."

Senator Frink moved as an amendment to the amendment, that word "twenty-five" and figures "25" be inserted in lieu of the word "ten" and figures "10."

The amendment to the amendment was carried, and the original amendment, as amended, prevailed.

Senator Baum offered the following substitute for section 24: "Sec. 24. The provisions of this act shall not apply to persons engaged in prospecting for mines of precious minerals upon the public domain to the extent of the personal need only of such prospector."

The substitute was adopted.

On motion of Senator Taylor, the original section 24 was made section 25.

On motion of Senator Warburton, section 10 was amended by striking out the words "geese, swan," in line 6 of the printed bill.

Senator Frink offered the following amendment to section 12: Insert after the word "Washington," in line 1 of the printed bill, "at any time have or offer for sale, or for the market, or sell, barter, or exchange, any grouse, pheasant, ptarmigan, Mongolian, or any of the various kinds of imported pheasant, or any California, bobwhite, or any of the various different kinds of quail, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided."

The amendment was lost.

Senator Deckebach offered the following substitute for section 25: "All professional sportsmen or members of a sportsman club, who desire to hunt under the provisions of this act, shall first obtain an annual license from the auditor of the county in which he proposes to hunt, and shall pay for the same the sum of five dollars (\$5).

The substitute was adopted by the following vote: Yeas 19, nays 15, absent or not voting 0.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Frink, High, Keith, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Washburn, Wooding, and Yeend — 19.

Those voting nay were: Senators Baum, Dorr, Easterday, Field, Hall, Harper, Hill, Houghton, Lesh, Miller David, Reinhart, Taylor, Van Patten, Warburton, and Wilson — 15.

Absent or not voting: None.

On motion of Senator Deckebach, the original section 25 was made section 26.

Senator Yeend moved to strike out section 16.

Senator David Miller moved to amend by striking out the word "enter" in line 1 and all of line 2 of the printed bill up to the word "hunt."

The amendment was carried, and the motion, as amended, prevailed.

Senator Houghton moved to lay the bill on the table.

The motion was lost.

Senator High offered the following amendment to section 15: Strike out all of line 2 of the printed bill, after the word "imported," and all of line 3 of the printed bill up to the word "California."

The amendment was lost.

On motion of Senator Lesh, section 16 was amended by striking out the words "in the standing or growing grain" in line 4 of the printed bill.

On motion of Senator Baum, section 16 was stricken out.

On motion of Senator Hall, the bill was placed on final passage.

It was then passed by the following vote: Yeas 26, nays 5, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Runner, Taylor, Van Patten, Warburton, Wilson, and Yeend — 26.

Those voting nays were: Senators Davis, Miller T. J., Range, Reinhart, and Washburn, — 5.

Absent or not voting: Senators High, Lesh, and Wooding — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

The House has passed House bill No. 356, by Mr. Scott, "An act requiring common carriers to carry bicycles as baggage, free of charge."

On motion, this bill was ordered transmitted to the Senate forthwith, and the same is herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

The House has passed House bill No. 472, by Committee on Education, "An act relating to the codification of the school laws," and the same is herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

The House has passed House bill No. 583, by Judiciary Committee, "An act relating to superior courts and the election of superior court judges."

On motion, the bill was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

On motion of Senator Runner, Senate bill No. 117, by Senator Runner, "An act to protect employes and laborers in their claims for wages," was taken from the table and placed on general file.

On motion of Senator Taylor, Senate bill No. 183, by the Committee on Judiciary, "An act in relation to the legislative manual," was taken from the table and placed on general file.

Senator Dorr moved that House bill No. 371, by Mr. de Mattos, "An act to fix the fees to be collected by the secretary of state, in relation to corporations, and declaring an emergency," be taken from the table and referred to the sifting committee, with the request that it be placed at the top of the calendar of to-morrow.

The motion was carried.

The Committee on Fisheries submitted the following reports:

REPORTS OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 259, entitled "An act prohibiting the maintenance, construction and use of fixed appliances and seines for the catching of salmon and other food fish in certain waters and in parts of certain waters in the State of Washington, and regulating the licensing and use of the same in certain other of the waters of said state, including the Columbia river, and for the licensing of gill nets and drift nets, and providing for the disposition of the funds arising therefrom, and repealing an act of the legislature of the State of Washington approved March 10, 1893, entitled 'An act regulating fish traps, pound nets, weirs, set nets, fish wheels and other fixed

appliances for catching salmon on the waters of the Columbia river and its tributaries and Puget Sound; for providing for the licensing thereof and the disposition of the funds arising therefrom, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended to read as it is herewith submitted, and we recommend that the bill be printed as amended.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

J. A. DAVIS.

AUGUSTUS HIGH.

JOHN McREAVY.

J. G. MEGLER.

C. W. DORR.

W. E. RUNNER.

On motion of Senator Keith, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 352, entitled "An act to regulate and license the catching of fish, and repealing chapter 9 of the Session Laws of 1893 of the State of Washington, and abolishing fish traps, pound nets, weirs, fish wheels, or other fixed appliances for catching fish in the waters controlled by the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

AUGUSTUS HIGH.

JOHN McREAVY.

W. E. RUNNER.

C. W. DORR.

J. A. DAVIS.

J. G. MEGLER.

On motion of Senator Dorr, the report was adopted.

At 5:10 o'clock P. M., Senator Plummer moved that the Senate adjourn until to-morrow at 9:30 o'clock A. M.

Senator McReavy moved as an amendment that the time of adjournment be until to-morrow at 10 o'clock A. M.

The amendment was carried, and the motion, as amended, prevailed.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 3, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Wooding, who was excused.

The secretary began the reading of the journal of yesterday.

Senator Easterday moved that the further reading of the journal be dispensed with, and the journal approved.

Senators Taylor, High and Plummer moved the previous question.

The motion was carried by the following vote: Yeas 16, nays 13, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Easterday, Field, High, Hill, Houghton, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Taylor, Van Patten, and Yeend — 16.

Those voting nay were: Senators Baum, Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Range, Warburton, Washburn, and Wilson — 13.

Absent or not voting: Senators Davis, Keith, Pusey, Runner, and Wooding — 5.

The motion of Senator Easterday was lost by the following vote: Yeas 15, nays 14, absent or not voting 5.

Those voting yea were: Senators Cole, Easterday, High, Hill, Houghton, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, and Yeend — 15.

Those voting nay were: Senators Baum, Crow, Deckebach, Dorr, Field, Frink, Hall, Harper, Lewis, Lesh, Megler, Pusey, Washburn, and Wilson — 14.

Absent or not voting: Senators Davis, Keith, Runner, Warburton, and Wooding — 5.

The reading of the journal was completed, and the journal approved.

Senator Baum presented a remonstrance, signed by B. D. White and thirty-nine other citizens of Okanogan county, remonstrating against the passage of a bill creating a new judicial district of Douglas and Okanogan counties.

On motion of Senator Wilson, the remonstrance was referred to the Committee on Judiciary.

Senator Wilson presented a petition from the board of trade of the city of Port Townsend, praying that House bill No. 255 be not enacted.

A similar petition was also presented by Senator Wilson, signed by the mayor and city council of the same city.

Senator Wilson also presented a petition from the I. O. G. T. Lodge of Port Angeles, praying for the enactment into law of House bill No. 255.

On motion of Senator Wilson, the petitions were referred to the Committee on Public Morals.

Senator Plummer presented petitions from the National Union of the United Brewery Workmen of the United States and the Trades Council of Spokane, protesting against House bill No. 255.

On motion of Senator Plummer, the petitions were referred to the Committee on Public Morals.

The following resolution was introduced by Senator Wilson:

WHEREAS, By reason of the requirement of law that appointments by the governor shall be made by and with the approval of the Senate, this body is charged with a share of the responsibility for such appointments; and,

WHEREAS, Numerous appointments submitted by his predecessor have been withdrawn by the present governor and there are many appointments now to be made; and,

WHEREAS, This body desires to do its full duty in the premises; and,

WHEREAS, In order to so do its full duty this body should have a reasonable time to consider the selections made by the governor; and,

WHEREAS, Only nine days remain of the term limited for this legislature: now, be it

Resolved, That the governor be, and he is hereby requested, to submit to this body, at his earliest convenience, the appointments to be made and considered at this session.

Senator Wilson moved to adopt the resolution.

Senator Taylor moved to amend by laying it on the table.

The amendment was carried by the following vote: Yeas 20, nays 12, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis,

Field, Hall, High, Hill, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 20.

Those voting nay were: Senators Deckebach, Dorr, Easterday, Frink, Harper, Lesh, Lewis, Megler, Pusey, Warburton, Washburn, and Wilson — 12.

Absent or not voting: Senators Houghton and Wooding — 2.

The motion, as amended, prevailed.

The following resolution was introduced by Senator Plummer:

Resolved by the Senate of the State of Washington, That J. D. Hannegan be and he is hereby authorized and empowered to complete the Senate Journal immediately after the adjournment of the legislature.

On motion of Senator Megler, the resolution was laid on the table.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 111, entitled "An act regulating and making it lawful for any farmer, gardener, or other person, to peddle, sell or deliver, free from all license in any part of the state, and upon any day, except Sunday, all fruits, vegetables, or other farm or garden produce and all other edibles; making all ordinances in conflict void, and declaring an emergency," and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The house has passed House bill No. 354, by Mr. C. P. Bush, An act to provide for the publication of the third biennial report of the state board of horticulture, and declaring an emergency.

Also, House bill No. 149, by Mr. Stafford, An act to prevent railroad companies and other common carriers of passengers for hire issuing limited tickets or return tickets; and to enforce the same by adequate penalties.

Also, House bill No. 322, by Mr. Pierson, An act establishing the state museum at the university of Washington.

Also, House bill No. 260, by Mr. Merrifield, An act making an appropriation for the relief of T. M. Alvord, on account of failure in title to university lands.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 17, by Senator T. J. Miller, relating to state granted lands, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 398, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

E. W. TAYLOR.

J. W. RANGE.

DAVID MILLER.

OLIVER HALL.

F. C. HARPER.

W. H. PLUMMER.

REPORT OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., March, 2, 1897.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 179, entitled "An act for the protection of fish in stocked lakes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by adding the following words to section 1: "*Provided*, That nothing contained in this act shall be construed as conflicting with the laws now existing, prohibiting the taking of certain fish from lakes, within three years from the time when such lakes have been stocked.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

JOHN McREAVY.

J. A. DAVIS.

AUGUSTUS HIGH.

W. E. RUNNER.

The report was adopted.

REPORTS OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 68, entitled "An act to extend the right of eminent domain to mining, milling or reduction works companies, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass as amended:

Strike "and declaring an emergency," from title.

Section 3, line 2, insert after words "right-of-way," "and terminal facilities therefor."

Respectfully submitted.

We concur in this report:

F. M. BAUM, Chairman.

D. E. LESH.

W. B. FIELD.

V. A. PUSEY.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 67, entitled "An act to amend sections 4 and 10 of an act entitled 'An act to regulate the mode of proceeding to appropriate lands, real estate or other property, by corporations for corporate purposes and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency,' approved March 21, 1890, the same being sections 651 and 657 of volume 2 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass as amended: Strike "and declaring an emergency" from title.

Respectfully submitted.

We concur in this report:

F. M. BAUM, Chairman.

D. E. LESH.

W. B. FIELD.

V. A. Pusey.

The report was adopted.

REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 1, relating to the war in Cuba, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

I concur in this report:

W. B. FIELD, Chairman.

JOHN I. YEEND.

FRANK P. LEWIS.

The report was adopted.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 248, entitled "An act for the relief of Moffatt Brothers," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

J. A. DAVIS.

S. WARBURTON.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 242, entitled "An act for the relief of the Capital City Abstract and Insurance Company," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

S. WARBURTON.

J. A. DAVIS.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 265, entitled "An act for the relief of D. B. Ward," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

R. C. WILSON.

S. WARBURTON.

The report was adopted.

REPORT OF COMMITTEE ON IRRIGATION AND ARID LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 209, entitled "An act accepting the terms of the act of congress approved August 18, 1894, and the act amendatory thereof providing for the reclamation, settlement and disposition of the one mil-

lion acres of arid lands granted therein, making appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows:

Title: Strike the whole title, and insert the following: "An act to amend an act entitled 'An act accepting the terms of the act of congress approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid lands granted therein, making appropriation therefor, and declaring an emergency,' approved March 22, 1895, and providing further for carrying into effect said grant."

Strike the whole of sections 1 and 2, and the preamble.

Section 3: Insert before the words "Sec. 3" the words "Section 1," and insert after the words "section 3" the words "of chapter 166 of the Session Laws of 1895 is hereby amended to read as follows: Sec. 3."

Section 4: Insert before the words "Sec. 4" the words "Sec. 2," and insert after the words "section 4" the words "of chapter 166 of the Session Laws of 1895 is hereby amended to read as follows: Sec. 4."

Section 5: Insert before the words "Sec. 5" the words "Sec. 3," and insert after the words "section 5" the words "of chapter 166 of the Session Laws of 1895 is hereby amended to read as follows: Sec. 5."

Section 6: Insert before the words "Sec. 6" the words "Sec. 4," and insert after the words "section 6" the words "of chapter 166 of the Session Laws of 1895 is hereby amended to read as follows: Sec. 6."

Section 7: Insert before the words "Sec. 7" the words "Sec. 5," and insert after the words "section 7" the words "of chapter 166 of the Session Laws of 1895 is hereby amended to read as follows: Sec. 7."

Section 8: Insert before the words "Sec. 8" the words "Sec. 6," and insert after the words "section 8" the words "of chapter 166 of the Session Laws of 1895 is hereby amended to read as follows: Sec. 8." In line 3, printed bill, strike the words "to exceed fifty per cent. of," and insert "not less than double."

Section 9: Line 4, strike "seventy-five," and insert "eighty;" line 7, strike "seventy-five," and insert "eighty;" line 8, strike "twenty-five," and insert "twenty;" line 14, strike "have," and insert "has."

Section 10: Lines 5 and 12, strike "under irrigation system No.;" lines 17 and 18, strike "under the particular irrigation system on account of which they were issued or the proceeds thereof."

Section 22: Line 1, strike "eighty," and insert "forty."

Section 26: Strike the whole section, and insert: "Sec. 26. An emergency exists, and this act shall take effect immediately."

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report:

L. C. CROW.

D. E. LESH.

F. M. BAUM.

I do not concur in the foregoing report: JOHN I. YEEND.

The report was adopted.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the following bills: H. F. Docherty, cartage, \$3; Geo. Martin, repairs to gas burners, \$1; S. E. Jackson, rent of typewriter, \$11.40, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

J. A. DAVIS.

S. WARBURTON.

The report was adopted.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 227, entitled "An act to adopt and establish a Code of the Laws of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill herewith attached be substituted therefor, and that said substitute do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Lewis, Wilson, and Taylor.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 52, entitled "An act to confer certain powers upon certain benevolent or charitable institutions, incorporated under the laws of Washington, in relation to the control and disposition of homeless, neglected or abused children," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Lewis and Warburton.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 64, entitled "An act concerning mortgages of personal property and

the filing of the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

In section 4 of the printed bill, after the word "thereof" in line 3, strike out lines 3 and 4, and the word "after" at the beginning of line 5, and insert in lieu thereof the following: "and after the expiration of two years from the filing of any affidavit in this act provided for, unless within said term of two years from the filing of the mortgage and within two years after the filing of each of the affidavits in this act provided for."

In section five of the printed bill, strike out all of lines 7 and 8 and insert in lieu thereof the following: "receive for filing and entering such mortgage 25 cents; for filing each affidavit 10 cents, and for noting and entering the release 25 cents, such sums to be accounted for as other fees of his office."

Strike out section 6 of the printed bill, and insert in lieu thereof the following:

"SEC. 6. When any mortgage of personal property shall have been paid or satisfied, it shall be the duty of the mortgagee, as assignee or personal representative, to execute and deliver to the mortgagor, his assignee or personal representative, on demand, or file in the office of the county auditor of the county in which the mortgage is filed, a written release of such mortgage. When such release is filed with the county auditor of the county in which the mortgage is on file, such county auditor shall note such release in the book mentioned in section 5 hereof opposite the entry of such mortgage, and in the column therein designated as 'release.' The failure, neglect or refusal of the mortgagee, his assignee or personal representative, to so execute and deliver such release, shall subject him to the same penalty as is provided by law for failure, neglect or refusal to satisfy mortgages of real estate."

And that, as so amended, said bill do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Wilson, Plummer, Warburton, Lewis, and Washburn.

The report was adopted.

REPORT OF COMMITTEE ON SALARIES AND MILEAGE.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1897.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, to whom was referred the bills for mileage of special committees appointed to visit various state institutions, have had the same under consideration, and we respectfully report to the Senate, with the recommendation that the following amounts be allowed:

COMMITTEE TO VISIT SOLDIERS' HOME.

To Senator J. G. Megler, for mileage to Orting and return, 52 miles	\$10 40
To Senator E. C. Keith, to Orting and return.....	10 40
To C. M. Easterday, to Orting and return.....	10 40
Total	\$31 20

COMMITTEE TO VISIT AGRICULTURAL COLLEGE.

To Senator David Miller, 1038 miles.....	\$103 80
Credit, warrant on account	75 00
Balance due.....	\$28 80

To Senator L. C. Crow, 1038 miles.....	\$103 80
Credit, warrant on account.....	75 00
Balance due.....	\$28 80

To Senator Frank P. Lewis, 1038 miles.....	\$103 80
Credit, warrant on account.....	75 00
Balance due.....	\$28 80

COMMITTEE TO VISIT STATE UNIVERSITY AND WHATCOM NORMAL SCHOOL.

To J. A. Davis, 352 miles.....	\$35 20
To F. C. Harper, 352 miles.....	35 20
To Daniel Paul, 352 miles.....	35 20

COMMITTEE TO VISIT STATE REFORM SCHOOL.

To Senator Joseph Hill, 64 miles.....	\$6 40
To Senator Thos. J. Miller, 64 miles.....	6 40

COMMITTEE TO VISIT VANCOUVER AND CASCADE LOCKS.

To Senator R. C. Washburn, 390 miles.....	\$39 00
Less amount advanced.....	35 00
Balance due.....	\$4 00

To Senator Augustus High, 390 miles.....	\$39 00
Less amount advanced.....	35 00
Balance due.....	\$4 00

To Senator J. A. Cole, 390 miles.....	\$39 00
Less amount advanced... ..	35 00
Balance due.....	\$4 00

COMMITTEE TO VISIT EASTERN WASHINGTON HOSPITAL FOR INSANE AND STATE NORMAL SCHOOL AT CHENEY.

To Senator J. C. Van Patten, 908 miles	\$90 80
To Senator F. G. Deckebach, 908 miles.....	90 80
To Senator W. E. Runner, 908 miles.....	\$90 80
Credit, by cash.....	75 00
Balance due.....	\$15 80

Respectfully submitted.

We concur in this report:

The report was adopted.

DAVID MILLER, Chairman.
OLIVER HALL.
C. M. EASTERDAY.
W. H. PLUMMER.

REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 268, entitled "An act to prevent the destruction, mutilation or defacement of land marks, monuments and notices upon mining claims and, providing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass as amended. Insert: Sec. 2. An emergency exists, and this act shall take effect immediately.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report:

D. E. LESH.

W. B. FIELD.

V. A. PUSEY.

The report was adopted.

REPORTS OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, of your Committee on Fisheries, to whom was referred Senate bill No. 258, entitled "An act for the protection of sturgeon in the waters of the Columbia river and its tributaries," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

In the title of the bill, strike out "the Columbia river and its tributaries," and insert "this state."

In line 3, section 2 of printed bill, strike out "the Columbia river or its tributaries," and insert "this state."

In lines 4 and 5, section 2 of printed bill, strike out "the Columbia river or its tributaries," and insert "this state."

In line 6, section 2 of printed bill, strike out "three and a half," and insert "four."

In line 10, section 2 of printed bill, strike out "three and a half," and insert "four."

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

C. W. DORR.

J. A. DAVIS.

J. G. MEGLER.

W. E. RUNNER.

AUGUSTUS HIGH.

JOHN McREAVY.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 90, entitled "An act to amend certain sections of Hill's Code, provid-

ing for the appointment of deputy fish commissioners," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

W. E. RUNNER.

AUGUSTUS HIGH.

J. A. DAVIS.

J. G. MEGLER.

C. W. DORR.

JOHN McREAVY.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

At a meeting of the Fisheries Committee held March 2, 1897, it was decided, by unanimous vote, to offer the following amendments to the general appropriation bill: "For the construction of a fish way in the Des Chutes river, \$500; for the construction of a fish way in the Skokomish river, \$500; for the construction of a fish way in the Spokane river, \$500."

Respectfully submitted.

E. C. KEITH, Chairman.

I concur in this report:

J. A. DAVIS.

The report was adopted.

The secretary read the following messages from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has passed House bill No. 230, by Mr. J. B. Smith: "An act to amend sections 3 and 16 of an act entitled 'An act relating to the state library, and declaring an emergency, approved March 8, 1893,' and declaring an emergency."

Also, House bill No. 369, by Mr. Hargrave: "An act to regulate the salaries of certain county officers of Cowlitz county herein named."

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

(OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has passed House bill No. 35, by Mr. Gilkey, "An act relating to boom companies, prescribing their duties and fixing their liabilities, and for other purposes."

Also, House bill No. 52, by Mr. Witt, "A bill for an act to provide for the amendment of section 23 of article 2, and sections 14, 16, 17, 19, 20, 21 and 22 of article 3, and section 14 of article 4 of the constitution of the

State of Washington, relative to the reduction of the salaries of state officers, judges of the superior court, and members of the legislature."

Also, House bill No. 394, by Mr. Kincaid, "An act to amend section 1285, Hill's Annotated Code of the State of Washington, volume 1, in relation to the soldiers' home."

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has passed House bill No. 231, by Mr. Caywood, An act to amend section 87, Penal Code of Washington, relating to herding and driving sheep upon the lands of another.

Also, House bill No. 308, by Mr. C. Smith, An act to provide for the incorporation and to regulate the business of co-operative mining companies.

Also, House bill No. 224, by Mr. Way, An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, and for the selection and reclamation of arid lands, which shall be generally known as the board of state land commissioners; defining their duties and making an appropriation therefor, and declaring an emergency.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

The committee appointed to visit the fishing waters of the Columbia river submitted the following report:

REPORT OF COMMITTEE TO VISIT COLUMBIA RIVER.

To the President and Members of the Senate of the State of Washington:

We, your special committee appointed to visit the Columbia river and examine into the fishing industry of the same, with special reference to the use of fish wheels, beg leave to report as follows:

The committee ascended the Columbia river from Vancouver to the Cascade Locks, made an investigation into the operation of fish wheels, so far as was possible at the present season of the year, and gathered all available information that might be useful in arriving at a conclusion as to the general results following this method of taking salmon in the stream above mentioned. The fish wheels in use at the present time are either built as permanent structures or are attached to scows anchored to leads or lines of piles driven out a short distance from the shore. These wheels vary in diameter from fifteen to forty feet and have an average width of eight feet. Each wheel is provided with three dips or buckets constructed with a four-inch wire mesh. During a high stage of water the force of the current causes the wheels to revolve slowly, and salmon moving up stream and striking a fish wheel are caught up, and,

as the wheel revolves, are thrown into a sluice at the axle, whence they slip into a receptical at the side. From the outer edge of the wheel and extending down stream is what is known as a "lead"—a line of piles covered with slats, by which the fish ascending the river are forced in the direction of the wheel. These leads are of all lengths, the longest noticed by the committee being one on the Oregon side of about one hundred and seventy feet. It is impracticable, if not impossible, because of currents and the course of the fish to construct these leads at right angles to the shore line, and, whatever might have been the length, it was observed that they never extend toward the center of the river more than twenty or thirty feet beyond the outer edge of the wheel. In spite of the fact, however, that they are erected in a down-stream direction, the current during the high water works great damage, either wholly carrying away or almost totally wrecking a large percentage of those that have been put in at great expense during the low water period. For the greater part of the year the wheels and leads are entirely out of water, the taking of salmon by this method beginning only when the river is swollen by the waters flowing from the upper country.

The committee noticed the location and construction of nearly all the fish wheels operated on both sides of the river between Vancouver and the Cascade Locks. At this season of the year all were high and dry above the river, with the outer end of nearly all the leads above present high water.

The wheels are located at different points on both sides of the river, the committee learning that there are about twenty-two on the Washington side, and double that number in Oregon. Out of those built in this state, however, many have been abandoned because unfortunately located and others have been carried away by summer freshets. In fact, if the committee is correctly informed, eleven wheels have either been abandoned or rendered useless by floods within the last three years. While some of the wheels have proved to be profitable, others have shown only a loss. The catch is irregular and very uncertain, that of one day showing an abundance, and that of two or three following days showing but comparatively few fish. This can be understood when it is considered that the river at some points is over one thousand feet wide, and even if the fish are ascending in plentiful numbers, it is by mere chance that they take the shore so closely as to be caught by a wheel built on the bank and having a lead that extends out some twenty-five feet toward the center of the stream.

So far as the committee was able to observe, the wheels and appurtenances are not temporary structures, cheaply built, but rather contrivances made costly by the character of the stream which at high stages sweeps many of them away. One new wheel inspected by the committee represented an outlay of nearly \$8,000, and in many other places the force of the current and the character of the annual floods have necessitated the outlay of large sums to insure anything like permanance to the wheels, leads, and their supporting structures.

The committee was careful to make observations with a view of ascer-

taining as to how seriously these fish wheels may obstruct or act as a menace to river navigation, and is unanimously of the opinion that those who have regarded the wheels as such a menace have been grossly misinformed. As has been stated above, the wheels and leads are at the present time almost wholly out of water, while the Columbia river is now some eight or ten feet above low water level. In no instance was a wheel or lead observed which could in any way be regarded as an obstruction to navigation, the fish appliances at nearly all points occupying but an insignificant portion of the stream, and being almost entirely out of water during the greater part of the year.

In keeping with these observations and in accordance with the best information that could be gathered from interested and disinterested parties, the committee feels warranted in saying:

1. That the fish wheels on the Columbia river, between Vancouver and the Cascade Locks, in no sense are and as at present constructed and operated never can be regarded as in any way interfering with navigation on that stream.

2. That they are owned by citizens and taxpayers of the state; that their construction represents the outlay of much capital in the aggregate, and that as legitimate industries, giving employment to many laborers at good wages, they should receive all due encouragement.

3. That the salmon taken by wheel contrivances is now but five per cent. of the entire catch on the Columbia river, and that this slight percentage is but a small apportionment considering the capital invested, annual outlay and great risk of loss and destruction growing out of annual floods.

4. That inasmuch as it is regarded as a fact and not a theory that the great bulk of ascending salmon never return to the sea, the taking of a portion of the same by wheels is so much gain.

5. That the commercial value of the salmon now caught by wheels amounts to thousands of dollars, all of which, by an abolition of fish wheels, would be thrown away to no advantage instead of allowing it to accrue to the benefit of citizens of this state, who are permanent residents and identified with the upbuilding of the commonwealth.

6. That while thousands of salmon are caught by wheels, yet this catch seems in no sensible degree to interfere with thousands ascending the streams upon which hatcheries are located, and that, viewed from a commercial standpoint, it is much better to take them at points where they are valuable rather than permit them to ascend to higher waters where they become comparatively valueless.

7. That, so far as your committee could learn, the owners of wheels are citizens of good standing, operating them according to law, with due regard to the rights of others, and, above all, solicitous as to a proper regulation of salmon fishing, and anxious to contribute in all reasonable ways to make it a prosperous and enduring industry in this state.

8. That, in view of the foregoing, the operation of fish wheels is a legitimate, well regulated and honorably conducted business, and that an abolition of wheels or unreasonable interference with the same as at pres-

ent operated, would be unjust, unnecessary and not warranted either by the demands of public policy or by any fair, economical considerations.

Respectfully submitted.

J. A. COLE, Chairman.

AUGUSTUS HIGH.

R. C. WASHBURN.

On motion of Senator Crow, the report was ordered printed.

INTRODUCTION OF BILLS.

House bill No. 583, by Mr. Freeman: An act in relation to superior courts and the election of superior court judges.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 356, by Mr. Scott: An act requiring common carriers to carry bicycles as baggage free of charge.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 420, by Mr. Hooper: An act to regulate and establish reasonable rates of compensation for carrying passengers and baggage on railroads in the State of Washington.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 354, by Mr. Bush: An act to provide for the publishing of the third biennial report of the state board of horticulture, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 149, by Mr. Stafford: An act to prevent railroad companies and other common carriers of passengers for hire issuing limited tickets or return tickets, and to enforce the same by adequate penalties.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 322, by Mr. Pierson: An act establishing the state museum at the university of Washington.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Educational Institutions.

House bill No. 260, by Mr. Merrifield: An act making an appropriation for the relief of T. M. Alvord, on account of failure in title to university lands.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 35, by Mr. Gilkey: An act relating to boom companies, prescribing their duties and fixing their liabilities, and for other purposes.

The bill was read the first time; and, on motion of Senator Crow, as amended by Senator Deckebach, the rules were suspended, the bill read the second time by title, and referred to Committee on Harbors and Harbor Lines.

House bill No. 394, by Mr. Kincaid: An act to amend section 1285, Hill's Annotated Code of the State of Washington, volume one (1), in relation to the soldiers' home.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Charitable Institutions.

House bill No. 52, by Mr. Witt: A bill for an act to provide for the amendment of section 23 of article 2, and sections 14, 16, 17, 19, 20, 21 and 22 of article 3, and section 14 of article 4 of the constitution of the State of Washington, relative to the reduction of the salaries of state officers, judges of the superior court and members of the legislature.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 230, by Mr. J. B. Smith: An act to amend sections 3 and 16 of an act entitled "An act relating to the state library, and declaring an emergency," approved March 8, 1893, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Library.

House bill No. 369, by Mr. Hargrave: An act to regulate the salaries of certain county officers of Cowlitz county herein named.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 308, by Mr. C. Smith: An act to provide for the incorporation and to regulate the business of co-operative mining companies, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 231, by Mr. Caywood: An act to amend section 87, Penal Code of Washington, relating to herding and driving sheep upon the lands of another.

The bill was read the first time; and, on motion of Senator East-
erday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 224, by Mr. Way: An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners; defining their duties and making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 472, by Mr. Lusher: An act to establish a general uniform system of public schools in the State of Washington, and repealing chapter 6 of title 3, chapter 7 of title 5, all of title 10 except chapter 17, chapter 4 of title 50, all being of volume 1 of Hill's Annotated Statutes and Codes of Washington; also, repealing all amendments thereto; also, repealing an act entitled "An

act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another," approved March 9, 1893; also, repealing an act entitled "An act to provide for the management and control of state normal schools in the State of Washington," approved March 10, 1893, and all amendments thereto; also, repealing an act entitled "An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency," approved February 26, 1895; also, repealing an act entitled "An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof, incurred in excess of one and one-half per centum of the taxable property of the school district, without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor," approved March 1, 1895; also, repealing an act entitled "An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency, approved March 13, 1895."

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Education.

Senator Houghton moved that the Senate refuse to concur in the House amendments to Senate bill No. 93, by Senator Houghton, An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington, and that a conference committee be appointed to confer with a like committee from the House.

The motion was carried, and the chair appointed Senators Houghton, Hall and Hill as such committee.

GENERAL FILE.

House memorial No. 12, by Mr. Conine: Relative to recognizing services of Wm. A. Newell.

The memorial was read the third time.

Senator T. J. Miller moved to amend by inserting after the word

“Newell,” in line 2 of the last paragraph, the words “*And be it further resolved*, That a copy of this memorial be sent to the legislature and the governor of the State of New Jersey.”

The amendment was carried.

The memorial was placed on its final passage, and passed by the following vote: Yeas 32, nays 0, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Plummer and Wooding — 2.

On motion of Senator Megler, the rules were suspended, and the memorial ordered transmitted to the House immediately.

House memorial No. 3, by Mr. Gilkey: Asking congress to establish a life saving station on coast of Washington north of Gray's Harbor.

The memorial was read the third time.

Senator Wilson moved to amend by striking out the words “the promontory known as Point Granville,” in the last line of the original memorial, and inserting in lieu thereof the words “Cape Flattery.”

Senator T. J. Miller moved to amend the amendment by inserting the word “two” in line 12 of the original memorial, between the words “a” and “life,” and add in line 13, after the word “Granville,” the words “and Cape Flattery.”

The amendment to the amendment and the original amendment were lost.

The memorial was placed on its final passage, and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Keith, Lesh, Plummer, Pusey, Warburton, and Wooding — 6.

Senator Wilson gave notice that at the proper time he would move to reconsider the vote by which the preceding House memorial No. 3 was passed.

At 12:05 o'clock P. M., Senator Yeend moved that the Senate adjourn until 1:30 o'clock P. M.

Senator Houghton moved to amend by adjourning until 2 o'clock P. M.

The amendment was lost by the following vote: Yeas 16, nays 16, absent or not voting 2.

Those voting yea were: Senators Davis, Deckebach, Dorr, Field, Frink, Hall, Houghton, Lesh, Lewis, McReavy, Megler, Paul, Pusey, Warburton, Washburn, and Wilson — 16.

Those voting nay were: Senators Baum, Cole, Crow, Harper, High, Hill, Keith, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 16.

Absent or not voting: Senators Easterday and Wooding — 2.

The original motion was carried, and, at 12:10 o'clock P. M., the Senate adjourned.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senator Wooding, who was excused.

President Daniels signed House joint memorial No. 16, by Mr. Mohundro: A memorial to congress in regard to a national soldiers' home at Fort Sherman, Idaho.

President Daniels signed House bill No. 17, by Mr. Barlow: An act to amend an act entitled "An act to amend section 6 of an act entitled 'An act to prescribe the duties and fix the compensation of the reporter of the supreme court,' approved December 20, 1889, and declaring an emergency," approved February 26, 1891.

President Daniels signed House bill No. 81, by Mr. Land: An act creating a bureau of labor, defining its duties, and appropriating money for its maintenance.

GENERAL FILE.

House memorial No. 8, by Mr. Hagadorn: Relative to lighthouse at mouth of Quillayute river.

The memorial was read the third time.

It was then placed on its final passage, and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Houghton, Keith, Lewis, McReavy, Megler, Miller T. J., Plummer, Range, Reinhart, Taylor, Van Patten, Wilson, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Davis, Easterday, Hill, Lesh, Miller David, Paul, Pusey, Runner, Warburton, Washburn, and Wooding — 11.

House bill No. 317 (substitute for House bill No. 80), by Mr. C. P. Bush: An act to provide for voting on an amendment to section (1) one of article (2) two of the constitution of the State of Washington, embodying the right of direct legislation by the people.

The bill was read the third time by sections.

Senator Taylor moved to amend section 1 by striking out the word "five" and the figure "5" in line 18 of the printed bill, and insert in lieu thereof the word "twenty-five" and figures "25."

The amendment was lost by the following vote: Yeas 11, nays 16, absent or not voting 7.

Those voting yea were: Senators Baum, Easterday, Frink, Hall, Harper, Lewis, Megler, Pusey, Taylor, Warburton, and Wilson — 11.

Those voting nay were: Senators Crow, Davis, Dorr, Field, High, Hill, Houghton, Keith, Lesh, McReavy, Miller T. J., Plummer, Range, Reinhart, Van Patten, and Yeend — 16.

Absent or not voting: Senators Cole, Deckebach, Miller David, Paul, Runner, Washburn, and Wooding — 7.

Senator Range moved to amend section 1 by striking out the word "five" and figure "5" in line 18 of the printed bill, and insert in lieu thereof the word "ten" and figures "10" respectively.

Senator Houghton moved as an amendment to the amendment that the word "fifteen" and figures "15" be inserted in lieu of the word "ten" and figures "10."

The amendment to the amendment was carried by the following vote: Yeas 19, nays 9, absent or not voting 6.

Those voting yea were: Senators Dorr, Easterday, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Miller T. J., Plummer, Pusey, Van Patten, Warburton, Wilson, and Yeend — 19.

Those voting nay were: Senators Baum, Cole, Crow, Davis, Field, Megler, Range, Reinhart, and Taylor — 9.

Absent or not voting: Senators Deckebach, Miller David, Paul, Runner, Washburn, and Wooding — 6.

The original amendment, as amended, prevailed.

On motion of Senator Warburton, section 1 was further amended by striking out the word “five” and figure “5” in line 21 of the printed bill, and inserting in lieu thereof the word “fifteen” and figures “15,” respectively.

On motion of Senator Houghton, section 1 was further amended by striking out the word “five” and the figure “5” and inserting in lieu thereof the word “fifteen” and the figures “15,” respectively, in line 30 of the printed bill.

It was then placed on its final passage, and failed to pass by the following vote: Yeas 18, nays 14, absent or not voting 2.

Those voting yea were: Senators Cole, Davis, Dorr, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, and Yeend — 18.

Those voting nay were: Senators Baum, Crow, Deckebach, Frink, Hall, Harper, Lewis, Megler, Miller David, Pusey, Taylor, Warburton, Washburn, and Wilson — 14.

Absent or not voting: Senators Lesh and Wooding — 2.

Senator Crow gave notice that at the proper time he would move to reconsider the vote by which the preceding House bill No. 317 failed to pass.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 117, entitled “An act to amend section 4 of an act approved March 18, 1895, entitled ‘An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this

state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor."

Also, the House has refused to recede from House amendment to Senate bill No. 93, and asks that a conference committee of three be appointed to confer on same.

The House has appointed Messrs. Roberts, Witt and Scott as a committee on the part of the House thereto.

And the same are herewith returned. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 9, by Senator Plummer: "An act providing for the sale of real property to foreclose liens created for internal improvements in cities of the first class, etc., and declaring an emergency," as amended, and the amendments are herewith attached.

On motion, said bill was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 106, by Senator Cole. An act to provide for purchasing stationery, desk supplies and furnishings for the legislature, as amended, viz.: In line 3 of the title strike out the word "legislature;" in section 1, line 3, strike out the word "legislature," and insert "officers;" also in line 11.

Also, Senate bill No. 93, by Senator Houghton, An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington, as amended as follows: In section 2, line 5, strike out "four," and insert "five."

On motion, the said bills were ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has receded from House amendment to Senate bill No. 103, entitled "An act to amend sections 12 and 13 of an act entitled 'An act to define, regulate and govern the state penitentiary,'" said amendment suggesting the reduction of the clerk, as per section 13 of said bill, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 69, by Senator Houghton, An act for the relief of the widow of H. C. Ashenfelter, as amended, and, on motion, the bill was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

House bill No. 135, by Mr. Edwards: An act for the protection of men working in coal mines, and declaring an emergency.

The bill was read the third time by sections.

Senator Frink moved to amend section 1 by inserting in line 13 of the printed bill, after the word "mining," the words "in the State of Washington."

The amendment was lost.

Senator Frink moved to amend section 1 by striking out the word "two," in line 17 of the printed bill, and inserting, in lieu thereof, the word "five."

The amendment was lost.

The bill was then placed on its final passage, and passed by the following vote: Yeas 27, nays 3, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, and Van Patten — 27.

Those voting nay were: Senators Frink, Washburn, and Wilson — 3.

Absent or not voting: Senators Lesh, Warburton, Wooding, and Yeend — 4.

On motion of Senator Baum, the words "and declaring an emergency" were stricken from the title.

On motion of Senator Dorr, the rules were suspended, and the bill ordered transmitted to the House immediately.

Senator Cole moved that the Senate refuse to concur in the House amendments to Senate bill No. 106, by Senator Cole: An act providing for the purchase of stationery, desk supplies and other furnishings required by the state legislature, and making an appropriation therefor.

The motion was carried.

House bill No. 371, by Mr. de Mattos: To fix fees of secretary of state, in relation to corporations.

The bill was read the third time by sections.

Senator Runner offered the following amendment to section 1: Add to section 1 the words "*Provided*, That corporations incorporated for the purpose of working or developing mines shall be exempted from the operations of this act."

Senator Houghton moved to lay the amendment on the table.

The motion was lost by the following vote: Yeas 13, nays 17, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Deckebach, Hall, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Plummer, and Runner — 13.

Those voting nay were: Senators Cole, Davis, Dorr, Easterday, Frink, Hill, Megler, Miller David, Miller T. J., Paul, Range, Reinhart, Van Patten, Warburton, Washburn, Wilson, and Yeend — 17.

Absent or not voting: Senators Field, Pusey, Taylor, and Wooding — 4.

Senators T. J. Miller, David Miller and Runner moved the previous question.

The motion was carried.

The amendment of Senator Runner was lost by the following vote: Yeas 8, nays 21, absent or not voting 5.

Those voting yea were: Senators Crow, Davis, Deckebach, Field, Frink, Harper, Lewis, and Runner — 8.

Those voting nay were: Senators Cole, Dorr, Easterday, Hall, High, Hill, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, and Wilson — 21.

Absent or not voting: Senators Baum, Houghton, Taylor, Wooding, and Yeend — 5.

Senator Range moved to amend section 1 by striking out the words "twenty-five," in line 3 of the printed bill, and inserting in lieu thereof the word "ten."

The amendment was lost.

On motion of Senator Houghton, section 1 was amended by striking out the words "twenty-five," in line 3 of the printed bill, and inserting in lieu thereof the word "five."

Senator Houghton offered the following substitute for section 2: "Sec. 2. Every such corporation described in section 1 of this act, now existing or hereafter organized, shall pay an annual license of five dollars, and no such corporation shall have or exercise any corporate power or be permitted to do any business in this state without having such license in force. Such license must be obtained by paying to the secretary of the state the said license fee of five dollars, who shall thereupon issue to said corporation a license permitting said company to do business within this state for the period of one year from the date thereof."

On motion of Senator Warburton, the substitute was amended by striking out the word "five" wherever it occurs and inserting in lieu thereof the word "ten."

On motion of Senator Plummer, the following words were added to the substitute: "*Provided*, The incorporating fee shall authorize such corporation to transact business for the first year."

The substitute, as amended, was adopted.

On motion of Senator Lesh, section 1 was amended by inserting after the word "state," in line 2 of the printed bill, the words "doing business within the state."

On motion of Senator Warburton, section 1 was amended by striking out the word "fees," in line 8 and also in line 9 of the printed bill, and inserting in lieu thereof the word "fee."

Senator Lesh moved to amend section 1 by striking out the words "to the secretary of state" in line 3 of the printed bill, and inserting in lieu thereof the words "into the general fund, for the use of the state."

The amendment was lost.

On motion of Senator Plummer, section 3 was amended by striking out all of the section after the word "purposes," in line 2 of the printed bill.

On motion of Senator High, as amended by Senator Range, section 3 was amended by striking out the word "or" after the word "charitable," in line 2 of the printed bill, and inserting after the word "educational," in the same line, the words "or fraternal."

Senator Easterday moved to strike out section 5.

The motion was lost.

On motion of Senator Houghton, section 6 was stricken out.

On motion of Senator Plummer, the words "and declaring an emergency" were stricken from the title.

On motion of Senator Plummer, section 3 was amended by striking out all of line 1 of the printed bill after the word "corporations," and all of line 2 of the printed bill up to the word "organized."

Senator Baum offered the following amendment to section 4: In line 2 of the printed bill after the words "shall be," insert the words "fifteen cents per folio for copy and one dollar for seal."

The amendment was lost.

Senator Range moved that the bill be placed on its final passage.

Senator Dorr moved to amend by laying it on the table.

The amendment was lost, and the original motion prevailed.

The bill was then passed by the following vote: Yeas 22, nays 10, absent or not voting 2.

Those voting yea were: Senators Baum, Crow, Davis, Easterday, Field, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Runner, Taylor, Van Patten, and Warburton—22.

Those voting nay were: Senators Deckebach, Dorr, Frink, Hall, McReavy, Paul, Reinhart, Washburn, Wilson, and Yeend — 10.

Absent or not voting: Senators Cole and Wooding—2.

Senator Dorr moved to amend the title by adding the words “and reducing the same.”

The motion was lost.

The title of the bill, as amended, was ordered to stand as the title of the act.

On motion of Senator Range, the rules were suspended, and the bill ordered transmitted to the House immediately.

Senator Plummer moved that the Senate concur in the House amendments to Senate bill No. 9, by Senator Plummer: An act providing for the sale of real property to foreclose liens created for internal improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption for sale, and declaring an emergency.

The motion was carried by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baum, Lesh, Paul, Pusey, Warburton, Washburn, and Wooding — 7.

Senator Wilson moved that the rules be suspended, and the vote by which House memorial No. 3, by Mr. Gilkey, Asking congress to establish a life saving station on coast of Washington north of Gray's Harbor, was passed, be reconsidered.

The motion was carried.

On motion of Senator Wilson, the memorial was amended by

adding the words “and in extending to said Gray’s Harbor the government telegraph line now having its terminus at Tatoosh Island;” also, by adding to the title the words “and to extend the government telegraph line from Tatoosh Island to said Gray’s Harbor.”

The memorial was then passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baum, High, Keith, Lesh, Pusey, Warburton, and Wooding — 7.

On motion of Senator Deckebach, the rules were suspended, and the memorial ordered transmitted to the House immediately.

Pursuant to notice given on March 1, 1897, Senator Wilson moved to reconsider the vote by which Senate bill No. 141, by Senator Lesh, “An act relating to exemptions of personal property,” was passed.

Senator T. J. Miller moved to lay the motion on the table.

The motion was lost.

Senator Taylor moved that the motion be indefinitely postponed.

Senator Deckebach moved to adjourn.

The motion was lost.

Senators Davis, T. J. Miller and Taylor moved the previous question.

The motion was carried.

The motion of Senator Taylor was lost by the following vote: Yeas 7, nays 20, absent or not voting 7.

Those voting yea were: Senators Cole, Hall, Lesh, McReavy, Miller T. J., Range, and Taylor — 7.

Those voting nay were: Senators Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, Houghton, Keith, Lewis, Megler, Miller David, Paul, Plummer, Reinhart, Van Patten, Warburton, Washburn, Wilson, and Yeend — 20.

Absent or not voting: Senators Baum, Crow, High, Hill, Pusey, Runner, and Wooding — 7.

The motion of Senator Wilson was carried by the following vote: Yeas 26, nays 5, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Washburn, Wilson, and Yeend — 26.

Those voting nay were: Senators Hall, McReavy, Pusey, Range, and Taylor — 5.

Absent or not voting: Senators Davis, Keith, and Wooding — 3.

Senator Warburton moved to amend section 1 by striking out the words “or freeholder” in line two of the printed bill.

Senator Houghton moved to amend by referring the bill to the Judiciary Committee, with instructions to report thereon by Friday morning.

On motion of Senator Houghton, at 5:50 o'clock p. m., the Senate adjourned until 7:30 o'clock p. m.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 o'clock p. m., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Wooding, who was excused.

Senator Deckebach moved that the rules be suspended, and smoking be permitted in the Senate chamber during this evening's session.

The motion was lost.

Senator Houghton moved that the Senate concur in the House amendments to Senate bill No. 69, by Senator Houghton: An act for the relief of the widow of H. C. Ashenfelter.

The motion was carried by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David,

Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, and Wilson — 30.

Nays: None.

Absent or not voting: Senators High, Pusey, Wooding, and Yeend — 4.

Senate bill No. 141, by Senator Lesh, "An act relating to exemptions of personal property," which was under consideration at the time of adjournment, was again taken up.

The motion to refer the bill to Committee on Judiciary was lost.

The motion to amend section 1 by striking out the words "or freeholders," in line 2 of the printed bill, was carried.

On motion of Senator Lesh, section 1 was amended by inserting after the word "dollars," in line 3 of the printed bill, the words "in addition to the property exempt under section 486 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington."

Senator Easterday moved to amend section 1 by striking out the words "one thousand" in line 3 of the printed bill, and inserting in lieu thereof the words "five hundred."

The amendment was lost.

On motion of Senator Lesh, lines 4, 5 and 6 of the printed bill were stricken out.

Senator Runner offered the following substitute for section 1:
"Section 1. Every householder entitled to exemptions of personal property from execution or attachment, may, in lieu of all specific exemptions provided by law, select any personal property not to exceed \$2,000 in value."

The substitute was lost.

Senator Deckebach moved to add the following section:

SEC. 2. This act is intended to provide all those householders who desire to evade just debts and obligations a lawful way of evading the payment of same.

The motion was lost.

Senator Easterday moved to add to section 1 the following:
"*Provided*, That no property shall be exempt from execution for clerks', laborers' or mechanics' wages earned within this state; nor shall any property be exempt from execution issued upon a judgment against an attorney on account of any liability incurred by such attorney to his client on account of any moneys or other property coming into his hands from or belonging to his attorney."

Senators Davis, T. J. Miller and Taylor moved the previous question.

The motion was carried.

The amendment of Senator Easterday was adopted.

Senator Taylor moved to amend section 1 by adding the following to the amendment previously adopted: "*Provided further, That no property shall be exempt for supplies furnished the family.*"

The amendment was lost.

On motion of Senator Dorr, the following section was added.

"SEC. 2. A householder as designated in all statutes relating to exemptions is defined to be —

1. The husband and wife or either.

2. Every person who has residing with him or her, and under his or her care and maintenance, either—

(a.) His or her minor child or the minor child of his or her deceased wife or husband.

(b.) A minor brother or sister or the minor child of a deceased brother or sister.

(c.) A father, mother, grandfather or grandmother.

(d.) The father, mother, grandfather or grandmother of deceased husband or wife.

(e.) An unmarried sister, or any other of the relatives mentioned in this section who has attained the age of majority, and are unable to take care of or support themselves."

On motion of Senator Plummer, the rules were suspended, the bill was considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 25, nays 6, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Reinhart, Runner, Van Patten, Warburton, and Yeend — 25.

Those voting nay were: Senators Deckebach, Hall, Paul, Range, Washburn, and Wilson — 6.

Absent or not voting: Senators Hill, Taylor, and Wooding — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The secretary read the following communication from Miss Della Smith:

MR. PRESIDENT:

OLYMPIA, WASH., March 3, 1897.

I hereby hand in my resignation as assistant engrossing clerk of the Senate.

DELLA SMITH.

Senator Megler moved that the resignation be accepted, and Miss Frank Garland be appointed as assistant engrossing clerk.

Senator High moved to amend by passing over the matter of the appointment of Miss Frank Garland until to-morrow.

The motion was lost.

The original motion was carried.

Senator Range moved that Senate bill No. 141 be reengrossed.

The motion was carried.

The following resolution was introduced by Senator Davis:

Resolved, That O. L. Ingram be assigned the duties of stenographer of this Senate, without any increase in salary.

The resolution was adopted.

Senator Keith moved that when the Senate adjourn it be until to-morrow at 9:30 o'clock A. M.

The motion was lost.

House bill No. 278, by Mr. Ames (by request): An act subjecting the franchises of private corporations to sale upon execution and upon order of sale under foreclosure of mortgage.

The bill was read the third time by sections.

On motion of Senator Easterday, section 1 was amended by adding the words "except as hereinafter provided."

On motion of Senator Easterday, the following sections were added:

SEC. 2. The levy of such execution or order of sale shall be made by filing in the office of the auditor of the county in which the franchise was granted, a copy of the same, together with a notice in writing that under such execution or order of sale, the officer levying the same has levied upon the franchise to be sold, specifying the time and place of same, the name of the owner of the franchise, the amount of the claim or judgment for the satisfaction of which the franchise is to be sold, and the name of the plaintiff in the action in which the decree of foreclosure or judgment is entered, and by serving a copy of such execution or order of sale and notices, upon the judgment, or his attorney, twenty days prior to sale. Notice may be served upon the defendant in the same manner that summons is served in civil actions.

SEC. 3. The sale of any franchise under execution or order of sale upon foreclosure must be made at the front door of the court house in the county in which the franchise was granted, not less than twenty days after the levy of the execution or order of sale and the giving of the notice as in this act provided.

On motion of Senator Keith, the bill was placed on its final passage.

It was then passed by the following vote: Yeas 22, nays 1, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Crow, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner, Van Patten, Warburton, Wilson, and Yeend — 22.

Senator Range voted nay.

Absent or not voting: Senators Davis, Deckebach, Dorr, Hall, Lesh, Paul, Pusey, Reinhart, Taylor, Washburn, and Wooding — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baum, the rules were suspended, and the bill ordered transmitted to the House immediately.

House bill No. 519, by Judiciary Committee: An act to provide for the punishment of recalcitrant witnesses before committees appointed by the legislative bodies, etc.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Van Patten, Warburton, Wilson, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Crow, Davis, Lesh, Reinhart, Washburn, and Wooding — 6.

The emergency clause was passed by the following vote: Yeas 23, nays 4, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Deckebach, Dorr, Field, Frink, Harper, High, Houghton, Keith, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Runner, Taylor, Van Patten, Warburton, Wilson, and Yeend — 23.

Those voting nay were: Senators Crow, Davis, Hall, and Hill — 4.

Absent or not voting: Senators Easterday, Lesh, Miller David, Range, Reinhart, Washburn, and Wooding — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baum, the rules were suspended, and the bill ordered transmitted to the House immediately.

House bill No. 99, by Mr. Geraghty: An act to better provide for the protection of railway switches.

The bill was read the third time by sections.

It was placed on its final passage, and failed to pass by the following vote: Yeas 12, nays 8, absent or not voting 14.

Those voting yea were: Senators Crow, Deckebach, Dorr, Easterday, Harper, Megler, Miller David, Paul, Runner, Taylor, Van Patten, and Yeend — 12.

Those voting nay were: Senators Baum, Davis, Field, Hall, Keith, McReavy, Warburton, and Wilson — 8.

Absent or not voting: Senators Cole, Frink, High, Hill, Houghton, Lesh, Lewis, Miller T. J., Plummer, Pusey, Range, Reinhart, Washburn, and Wooding — 14.

House bill No. 243, by Mr. Roberts: An act providing for a uniform system of public blanks for use in the counties of this state.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 22, nays 9, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, Lesh, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Taylor, Van Patten, Wilson, and Yeend — 22.

Those voting nay were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lewis, Megler, Pusey, and Warburton — 9.

Absent or not voting: Senators Rinehart, Washburn, and Wooding — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Yeend moved to adjourn.

The motion was lost.

House bill No. 232, by Mr. de Mattos: An act establishing a board of pardons, and defining its duties, and declaring an emergency.

The bill was placed on its final passage, and passed by the following vote: Yeas 25, nay 1, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith,

Lewis, McReavy, Miller T. J., Paul, Plummer, Range, Runner, Taylor, Van Patten, Warburton, Wilson, and Yeend — 25.

Senator Frink voted nay.

Absent or not voting: Senators Deckebach, Lesh, Megler, Miller David, Pusey, Reinhart, Washburn, and Wooding — 8.

On motion of Senator Houghton, the words “and declaring an emergency” were stricken from the title.

On motion of Senator Baum, the rules were suspended, and the last two bills ordered transmitted to the House immediately.

House bill No. 375, by Mr. Struve: An act to amend section 1418 of volume 1 of Hill’s Annotated Statutes and Codes of Washington, relating to the adoption of legal heirs.

The bill was read the third time by sections.

It was then passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Miller T. J., Plummer, Pusey, Runner, Taylor, Van Patten, Warburton, and Wilson — 23.

Nays: None.

Absent or not voting: Senators Deckebach, Hall, Lesh, Megler, Miller David, Paul, Range, Reinhart, Washburn, Wooding, and Yeend — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 318, entitled “An act providing for the disposition of certain funds collected for road purposes from the property subsequently included within the corporate limits of any city or town,” have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.

FRANK P. LEWIS.

J. G. MEGLER.

AUGUSTUS HIGH.

J. A. DAVIS.

JOHN MCREAVY.

Senator Dorr moved that rule 61 be suspended.

The motion was lost.

House bill No. 67, by Mr. Kittinger: An act to amend sections 651 and 657 of volume 2 of Hill's Code, and declaring an emergency.

The bill was read the third time by sections.

On motion, section 3 was stricken out.

The bill was placed on its final passage, and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Harper, High, Hill, Keith, Lesh, Lewis, Miller David, Miller T. J., Paul, Plummer, Pusey, Taylor, Van Patten, Warburton, Wilson, and Yeend — 24.

Absent or not voting: Senators Deckebach, Hall, Houghton, McReavy, Megler, Range, Reinhart, Runner, Washburn, and Wooding — 10.

On motion, the words "and declaring an emergency" were stricken from the title.

On motion of Senator Plummer, the rules were suspended, and the last two bills ordered transmitted to the House immediately.

At 10:40 o'clock P. M., on motion of Senator Lesh, the Senate adjourned until to-morrow, at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 4, 1897. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Wooding, who was excused, and Senator Van Patten.

The journal of yesterday was read and approved.

President Daniels administered the oath of office to Miss Frank Garland, assistant engrossing clerk.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 21, by Senator Taylor, An act for the purpose of amending section 2411, volume 1 of Hill's Annotated Code of Washington, relating to bond of contractors for security of laborers.

Also, the House has passed Senate bill No. 181, by Committee on Judiciary, An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies, in the hands of the treasurer of the state.

Also, the House has passed Senate bill No. 22, by Senator Taylor, An act providing for a lien for employes.

Also, the House has passed Senate bill No. 108, by Senator Warburton, An act to prevent the unauthorized interference with electric meters, wires and cables, used for measuring and conducting electric currents, as amended by the House, and said amendment is herewith.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has refused to recede from House amendment to Senate bill No. 106, entitled "An act providing for the purchase of stationery, desk supplies and furnishings required by the state legislature of the State of Washington," and, on motion, a conference committee was asked for to consider and confer on said bill.

And the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 19, by Senator Plummer, An act to protect manufacturers, bottlers and dealers in ale, porter, lager beer, soda, mineral water and other beverages from the loss of their casks, barrels, kegs, bottles and boxes.

Also, the House has passed Senate bill No. 56, by Senator T. J. Miller, An act relating to trade-marks.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 77, by Senator Megler, An act making provisions for the incorporation of cemetery associations, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 148, by Senator Cole: "An act for the regulating of the sale of property under execution and decrees."

Also, the House has passed Senate bill No. 5, by Senator Taylor: "An act relating to the duration of judgments."

And the same are herewith transmitted to the Senate.

S. P. CARUSI, Chief clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed House bill No. 119, by Mr. Phelps: "An act relating to the recording of mining locations, notices, bonds, assignments and transfers of mining claims;" and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has indefinitely postponed Senate memorial No. 4, by Senator High: "A memorial relating to a bounty on exports;" and the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

Concurrent resolution No. 23 was introduced by Senator Deckebach, as follows:

WHEREAS, On this, the fourth day of March in the year of our Lord, one thousand, eight hundred and ninety-seven (1897), William McKinley was inaugurated President of the United States: therefore, be it:

Resolved, by the Senate of the State of Washington, the House concurring, That we hereby join in extending to the president our heartfelt congratulations, and the earnest and sincere wish that his administration may be crowned with the blessings of the Almighty, and shall prove the instrument whereby the people of the United States may receive the prosperity so necessary to their welfare and happiness.

That a copy of this resolution be immediately transmitted to the President, signed by the president of the Senate and the speaker of the House.

Senator Deckebach moved to adopt the resolution.

The motion was carried by the following vote: Yeas 32, nays 1, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 32.

Senator Reinhart voted nay.

Absent or not voting: Senator Van Patten.

On motion of Senator Deckebach, the rules were suspended, and the resolution ordered transmitted to the House immediately.

Senator Wilson gave notice that at the proper time he would move to reconsider the vote by which House bill No. 243, by Mr. Roberts, "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state," was passed.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON STATE LIBRARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred House bill No. 230, entitled "An act to amend sections 3 and 16 of an act entitled 'An act relating to the state library, and declaring an emergency, approved March 8, 1893,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

R. C. WILSON, Chairman.

We concur in this report:

J. W. RANGE.

C. M. EASTERDAY.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred Senate bill No. 253, entitled "An act to regulate the hours of state librarian during recess of supreme court," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

R. C. WILSON, Chairman.

We concur in this report:

C. M. EASTERDAY.

J. W. RANGE.

REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 72, entitled "An act to prohibit the manufacture, sale, purchase or gift of cigarettes, cigarette paper or cigarette wrappers, and providing a penalty therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass, with the following amendments: Strike from the title the words "manufacture, sale," "and declaring an emergency," and insert after the word "wrapper" the words "to persons under twenty-one years of age."

In section 1, strike the words "manufacture" in line 1 and "sale" in line 2, and insert after the word "one" in line 2 the words "under twenty years of age."

In section 2, line 3, strike "five" and insert "one" and "one hundred," and insert "twenty-five." Strike out sections 3, 4 and 5.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

V. A. PUSEY.

D. E. LESH.

L. C. CROW.

On motion of Senator Lewis, the report was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled "An act providing for the sale of real property to foreclose liens created for local improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency," have examined and compared the same, and we respectfully report that it is correctly re-engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

House bill No. 119, by Mr. Phelps: An act relating to the recording of mining location notices, bonds, assignments and transfers of mining claims.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

The committee appointed to visit the state reform school submitted the following report:

REPORT OF COMMITTEE TO VISIT THE STATE REFORM SCHOOL.

OLYMPIA, WASHINGTON, March 3, 1897.

To the Senate of the State of Washington:

Your committee appointed to visit and examine the state reform school, located near Chehalis, Lewis county, beg leave to submit the following report:

The committee arrived at the school on the evening of February 27th, and remained until the afternoon of the 28th. The short stay did not give an opportunity to examine into all the details of the work, but enough was seen to satisfy your committee that the institution was in excellent hands and accomplishing the humane object for which it was founded. At this time there are one hundred and ten boys and thirty-two girls in the school. The excellent training which these children are receiving, their cleanliness and good health, speaks well for the management. In the opinion of your committee, the superintendent, Mr. Thomas P. Westendorf, deserves unqualified praise for his tact and good judgment, which is placing this institution in the front rank of successful reformatories. To the casual visitor there is very little to indicate that the boys and girls are more than ordinary pupils in an ordinary academy. Discipline is there, but it is enforced so carefully that the children are unconsciously influenced for their good; they are not led to believe that it is creditable for them to be inmates, but their spirit is not crushed by constant reminders of former mistakes. Laudable ambitions are stimulated, industry is compulsory, self-reliance, politeness and truthfulness are taught by precept and example. The superintendent and his estimable wife, the matron, have long experience in this peculiar work. Their teachers and assistants have been selected because of their special fitness for the various departments. Good management is apparent on all sides. The well-directed labor of the boys has made a fine farm out of a tangled wilderness. We are convinced that the last appropriation was handled wisely and economically; the large surplus (some twenty thousand dollars) which will revert to the treasury is proof of this.

The good work done by an institution of this character cannot be measured by dollars and cents. Children whose environments are such that only the baser passions are encouraged cannot be expected to make good citizens. Society protects itself by gathering such unfortunates into institutions where the better side of their nature is encouraged. It is a paying investment for society to do this, either from a financial or a moral standpoint. We therefore unhesitatingly say that the money appropriated for this purpose will greatly benefit the state. No important changes, other than those that can be made by utilizing the labor of the boys and girls, should be undertaken at this time. Nothing in the line of betterments is needed now. The appropriation asked for in the report of the

board of trustees is, we believe, ample if the institution will be conducted on the lines laid down by the present management. In this connection we respectfully suggest that, as far as the state reform school is concerned, there can be nothing gained by a change in the personnel of the officials. We believe that political beliefs should not be considered in a matter of this kind, and we hope that his excellency, the governor of this state, will consider the facts set forth in this report when the matter of changing the present government is suggested.

For details concerning the institution, we refer the members of your honorable body to the report issued by the trustees and superintendent, which we find to be correct in all the particulars which could be ascertained by the brief personal inspection which the limited time at the disposal of your committee permitted.

Respectfully submitted.

JOSEPH HILL, Chairman.

THOS. J. MILLER.

Having visited this institution several times under the present management, I heartily concur in the above report. J. M. FRINK.

On motion of Senator Hill, the report was adopted and ordered printed.

Senator Warburton moved that the Senate concur in the House amendments to Senate bill No. 108, by Senator Warburton: An act to prevent the unauthorized interference with electric meters, wires and cables used for measuring and conducting electric currents.

The motion was carried by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, and Yeend -- 28.

Nays: None.

Absent or not voting: Senators Baum, Cole, Miller David, Pusey, Van Patten, and Wooding -- 6.

Senator Crow was called to the chair.

GENERAL FILE.

Senate bill No. 263, by Committee on Revenue and Taxation: Relating to assessment and collection of taxes.

The bill was read the third time by sections.

On motion of Senator High, section 3 was amended by inserting after the word "value," in line 22 of the printed bill, the words "*Provided further*, That mortgages and all credits for the purchase

of real estate shall not be considered as property for the purposes of this act.”

Senator Wilson moved to reconsider the vote by which the preceding amendment was adopted.

The motion was lost.

On motion of Senator Taylor, the word “in,” after the word “be,” in line 8 of section 3, was stricken out.

On motion of Senator Wilson, section 3 was further amended by striking out the word “in,” before the word “other,” in line 8 of the printed bill.

On motion of Senator Frink, section 5 was amended by inserting after the word “whole,” in line 14 of the printed bill, the words “or in part.”

On motion of Senator Taylor, section 5 was further amended by inserting the word “in,” after the word “furnish,” in line 32 of the printed bill.

Senator T. J. Miller offered the following amendment to section 5: After the word “construction,” in line 45 of the printed bill, insert the words “and for a period of five years after construction.”

At 12:05 o'clock P. M., Senator Plummer moved to adjourn until 1:30 o'clock P. M.

Senator Deckebach moved as an amendment, that the time of adjournment be until 2 o'clock P. M.

The amendment was carried, and the motion, as amended, prevailed.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

Senator Van Patten was excused for being absent at the morning session, on account of illness.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 141, entitled "An act relating to exemptions of personal property," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

J. A. COLE.

J. W. RANGE.

Senator Crow was called into the chair.

Senate bill No. 263, by Committee on Revenue and Taxation, "An act relating to assessment and collection of taxes," which was under consideration at the time of the adjournment of the morning session, was again taken up.

The amendment of Senator T. J. Miller to section 5 was lost.

Senator Runner moved to amend section 6 by striking out the words "every year," in line 5 of the printed bill.

The motion was lost.

On motion of Senator Taylor, section 16 was amended as follows: In line 18 of the printed bill, detail and assessment list on the left of the column headed "resident road district," add a column headed "assessment number." At the top of the column headed "equalized value" add the \$. At the head of the column "consolidated tax" and to and including the column headed "total tax," add "— mills," and place the \$ at the top of each column. At the bottom of the detail and assessment sheet, strike out all "instructions to assessors."

President Daniels resumed the chair.

The president announced that the time had arrived for the consideration of Senate bill No. 53, by Senator Dorr: An act fixing the place of residence of the attorney general of the State of Washington, and declaring an emergency.

Senator Baum moved that the bill be indefinitely postponed.

The motion was carried by the following vote: Yeas 23, nays 7, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Easterday, Field, High, Hill, Houghton, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Taylor, Van Patten, Warburton, and Yeend — 23.

Those voting nay were: Senators Dorr, Frink, Hall, Harper, Reinhart, Washburn, and Wilson — 7.

Absent or not voting: Senators Keith, Lewis, Pusey, and Wooding — 4.

The president announced the following conference committees to confer with a like committee from the House:

To confer in regard to the differences between the two houses over Senate bill No. 106, Senators Washburn, Paul, and Yeend.

To confer in regard to Senate bill No. 93, Senators Houghton, Hill and Hall.

Unanimous consent was given for Senator T. J. Miller to introduce Senate concurrent resolution No. 24, as follows:

Be it resolved by the Senate, the House concurring, That Senator T. J. Miller be, and is, hereby permitted to introduce a bill in the Senate, appropriating ten thousand dollars, or so much thereof as may be necessary, for the payment of salaries of members and employes, and other expenses of this session of this legislature.

Senator T. J. Miller moved to adopt the resolution.

The motion was lost by the following vote: Yeas 22, nays 5, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Field, Harper, High, Hill, Houghton, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Van Patten, Warburton, and Yeend — 22.

Those voting nay were: Senators Easterday, Frink, Hall, Washburn, and Wilson — 5.

Absent or not voting: Senators Baum, Keith, Lesh, Lewis, Pusey, Taylor, and Wooding — 7.

Senator Wilson gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate concurrent resolution No. 24 failed of adoption.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 117, entitled "An act relating to powers, rights and duties of boom companies."

Also, House bill No. 137, An act to provide for the registration of voters at school elections.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bills Nos. 117 and 137

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House refuses to concur in Senate amendments to House bill No. 371, entitled "An act relating to certain fees collected by secretary of state," and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed House bill No. 418, by Insurance Committee, same being a substitute bill for House bill No. 33, by Mr. C. P. Bush, An act relating to insurance, and the same is hereby transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House memorial No. 3, entitled "A memorial asking congress to establish a life saving station on coast of Washington, north of Gray's Harbor."

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed House bill No. 209, by Mr. Williams, An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense of the principal or principals on the same, and declaring an emergency.

Also, Senate joint concurrent resolution No. 27, Relative to introduction of bill by Senator T. J. Miller out of order.

And the same are hereby transmitted to the Senate.

J. M. PAGE, Assistant Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

The House has passed Senate resolution No. 23, by Senator Deckebach, Relating to congratulation of President McKinley.

Also, House bill No. 411, by Mr. Kittinger, An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, cemeteries, parks and any combinations thereof, with all land and property required therefor, providing for payment therefor, repealing

an act entitled "An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency," approved February 10, 1893, and declaring an emergency.

And the same are hereby transmitted to the Senate under suspension of the rules.

J. M. PAGE, Assistant Chief Clerk.

Senator Crow was called into the chair.

Pursuant to notice given on March 2, 1897, Senator Wilson moved to reconsider the vote by which Senate bill No. 116, by Senator Crow, An act relating to deficiency judgments, was passed.

Senator Taylor moved that consideration of the motion be deferred until to-morrow at 11 o'clock A. M.

The motion was carried.

Senate bill No. 263 was again taken up for consideration.

On motion of Senator Taylor, section 40 was amended by inserting after the word "assessor," in line 3 of printed bill, the words "a map and."

On motion of Senator Taylor, section 44 was amended by inserting after the word "property," in line 8 of the printed bill, the words "and the value per acre or lot."

On motion of Senator Deckebach, section 47 was amended by striking out the words "view and," in line 6 of printed bill.

On motion of Senator Taylor, section 49 was amended by inserting before the word "assessment," in line 2 of the printed bill, the words "detail and," and by striking out the word "roll," in line 2, and also in line 3 of the printed bill, and inserting in lieu thereof the word "list."

On motion of Senator Taylor, section 52 was amended by striking out the words "separately and," in line 7 of the printed bill, and by inserting after the word "assessed," in line 6 of the printed bill, the words "on separate detail and assessment list and all property assessable in incorporated cities shall be assessed in consecutive books where more than one book is necessary and separate from outside property and."

On motion of Senator Dorr, section 55, was amended by striking out the word "up," after the word "add," in line 1 of the printed bill; also by striking out the same word after the word "add" in line 3 of the printed bill.

On motion of Senator Taylor, section 55 was further amended as

follows: In line 2 of the printed bill, after the word "lists," insert "which he shall have bound in book form;" after the word "make" strike out "in each book;" in line 4, after the word column," insert "which he shall attach to the highest numbered assessment book;" in line 9 add the letter "s" to the word "book," and strike out "to" in line 9 and insert after it "No. 1 to No. — to the last of;" in line 10 of the printed bill, strike out the letter "s" in the word "contains;" in line 14 add the letter "s" to the word "book;" in line 22 strike out the word "rolls" and insert "detail and assessment lists."

On motion of Senator Taylor, section 59 was amended as follows: In line 38 of the printed bill, after the word "taxes," insert "except special taxes."

On motion of Senator Taylor, section 60 was amended as follows: In line 1 of the printed bill, strike out the word "assessment" and insert "descriptions and assessed values," and in line 2 strike out the word "lists;" in line 4 strike out the word "lists" and insert "values."

On motion of Senator Taylor, section 62 was amended as follows: Strike out, in line 4 of the printed bill, the word "rolls" and insert the word "books."

On motion of Senator Taylor, section 63 was amended as follows: In line 12 of the printed bill, after the word "ensuing," insert the word "fiscal."

On motion of Senator Taylor, section 65 was amended as follows: Strike out, in line 1 of the printed bill, the word "roll" and insert "books;" in line 2, strike out "hereafter" and insert "herein;" in lines 10 and 11 of the printed bill, strike out the words "a fractional part of a cent of;" in line 15, strike out the letter "s" in the word "months."

On motion of Senator Taylor, section 66 was amended as follows: In line 1 of the printed bill, strike out the word "tax" and insert "assessment."

On motion of Senator Taylor, section 67 was amended as follows: In line 2 of the printed bill, add "and the fiscal year contemplated in this act shall commence on January 1, and end on December 31, of each year."

On motion of Senator Taylor, section 68 was amended as follows: In line 1 of the printed bill, strike out "January" and insert "December:" in line 2, strike out the word "rolls" and insert

“books;” in line 4, after the word “therefor,” insert “and said books shall be preserved as a public record, in the office of the county treasurer;” in line 10, after the word “February,” insert “following,” and strike all of the balance of line 10, and lines 11 and 12; also, strike out the figures “18,” in line 6.

On motion of Senator Taylor, section 69 was amended as follows: In line 2 of the printed bill, after the word “state,” insert “county.”

On motion of Senator Taylor, section 70 was amended as follows: In line 1 of the printed bill, after the word “shall,” insert “post all real property taxes from said assessment books to the treasurer’s tax roll or ledger, and shall then.”

On motion of Senator Taylor, section 71 was amended as follows: In line 4 of the printed bill, strike out the word “assessment,” and insert the word “tax;” in line 6; strike out the word “assessment,” and insert the word “tax,” and after the word “opposite,” insert “or under;” in line 14, strike out the word “registered.”

On motion of Senator Taylor, section 72 was amended as follows: After the word “February,” in line 1 of the printed bill, insert the words “succeeding the levy of taxes;” in line 2, strike out the word “demand,” and insert the words “thirty days notice;” add to section 72: “*Provided*, That if any personal property on which the taxes have been levied, but not paid, is about to be removed from the county where the same has been assessed, the county treasurer may demand such taxes without the notice provided for in this section, and if necessary, may distrain and sell sufficient goods and chattels to pay the same.”

On motion of Senator Wilson, section 83 was amended by adding the following words to the section:

“Any person desiring to pay taxes upon any part or parts of real estate heretofore or hereafter assessed as one parcel or tract may do so by paying to the county treasurer of the county where such land is situated an amount equal to twice the amount of that part of said taxes applicable to such part of said tract, dividing said taxes equally over said whole tract according to area. The county treasurer shall receive such payment and shall give receipt in full for such taxes upon the part for the release of which such payment is made, and shall apply one-half of such payment to the full payment of the taxes upon such part and the remaining one-

half of such payment to the reduction of the taxes upon the remainder of the property contained in such original tract.

“If the property covered by the original assessment for said taxes has improvements thereon separately valued or assessed, the part of said taxes applicable to said improvements shall be paid in full in addition to the amount above provided for the release of part of the tract before any part of such tract is released.”

On motion of Senator Taylor, section 75 was amended as follows: In line 1 of the printed bill, after the word “levy,” insert “on property.”

On motion of Senator Taylor, section 77 was amended as follows: In line 6 strike out the word “several,” and strike out the last letter “s” in the word “settlements.”

On motion of Senator Taylor, section 88 was amended as follows: In line 1 of the printed bill, after the word “tax,” insert “heretofore or hereafter levied;” in line 5 of the printed bill, after the word “officers,” strike out the remainder of section 88 and insert “the county commissioners shall cause such property to be placed on the assessment and tax roll of the current year, to be collected as other taxes of that year are collected: *Provided*, There shall be, if necessary, a relisting, reassessment and a relevy of the proper tax in the manner and by the person now authorized by law to list property and levy and assess a tax: *Provided further*, That such relisting, relevying and sale shall take place within five years from the date such tax would have been delinquent had such property been properly listed, assessed and tax levied thereon: *Provided further*, That if the question is raised in the courts as to the legality of such tax, then said five years shall not commence to run until such question is finally determined by such court or courts.”

On motion of Senator Taylor, section 92 was amended as follows: In line 1 of the printed bill strike out the word “April,” and insert “March;” line 7, strike out the word “court” and the parenthesis.

On motion of Senator Taylor, section 93 was amended as follows: In the tax book forms insert the dollar “\$” mark at the head of the money columns; in line 3 of the printed bill strike out the word “and,” and after the word “assessment” insert “and tax;” in line 6 strike out the words “such assessment books,” and insert “tax rolls;” in line 8, after the word “assessment,” insert the words “and tax;” and in line 9, after the second “the,” insert

“detail and,” and after the word “assessment” strike out the word “books,” and insert “lists.”

On motion of Senator Taylor, section 94 was amended as follows: In line 7 of the printed bill strike out the words “assessing or selling lots or lands for,” and insert in lieu thereof the words “the levy, assessment or collection of.”

On motion of Senator Taylor, section 95 was amended as follows: In line 3 of the printed bill, after the word “shall,” insert “be numbered and have a stub which shall be a duplicate of the certificate, and shall.” In line 6 strike out “with,” and insert “and” in lieu thereof.

On motion of Senator Taylor, section 96 was amended as follows: In line 2 of the printed bill, after the word “annum,” insert the words “and shall be sold to any person applying therefor upon the payment of the value in principal and interest thereof.” Strike out the word “and,” in line 5 of the printed bill, and all of lines 6 and 7. Make a fourth subdivision by inserting the words “such certificate shall have the same force and effect as a judgment execution and sale of and against the premises included therein.”

On motion of Senator Taylor, section 97 was amended as follows: In line 1 of the printed bill strike out “October” and insert “August.” Line 9, after the word “all,” insert “prior and,” and strike out the words “with time of judgment.”

On motion of Senator Taylor, section 103 was amended as follows: In line 4 of the printed bill, after the word “county,” insert “for the benefit of the owner of the certificate of delinquency against said property.” In line 4 of the printed bill, after the words “per cent.,” insert “per annum.” In line 7, after the words “per cent.,” insert “per annum.” Line 10, after the word “certificate,” insert “or.”

On motion of Senator Taylor, section 107 was amended as follows: Strike out lines 1 and 2 of the printed bill, and strike out in line 3 the words “provided however that” and “superior court and.” After the word “certify” insert “to the superior court of his county.” In line 4 of the printed bill, after the word “on,” insert the words “heretofore or hereafter.” In line 5 of the printed bill, after the second “of,” insert the words “an order issued to him from the superior court.” In line 6 of the printed bill, after the word “lands,” insert “or lots.”

On motion of Senator Taylor, sections 108 and 109 were stricken out.

On motion of Senator Taylor, section 110 was amended as follows: In line 1 of the printed bill, after the word "of," insert the words "a delinquent certificate," and strike out the words "real estate" after the word "suffer" and insert the words "a subsequent tax on the same property," and strike out the word "be" and insert the word "become," and strike out the words "or forfeited to the county."

On motion of Senator Taylor, section 116 was amended as follows: In line 3 of the printed bill, after the word "therein," insert the words "not exceeding ten separate descriptions."

On motion of Senator Taylor, section 117 was amended as follows: In line 6, after the words "before the," insert "issuance of deed."

On motion of Senator Taylor, section 118 was amended as follows: In line 1 of the printed bill, after the word "certificate," insert "of delinquency."

On motion of Senator Taylor, section 119 was stricken out.

On motion of Senator Taylor, section 120 was amended as follows: In line 8 of the printed bill, strike out the words "as follows," and insert "certificate of delinquency against the delinquent taxes of 1893, 1894 and 1895 shall, on application, be issued by the county treasurer on or before January 31, 1898."

Senator Range moved to amend section 122 by striking out the figures "1895," in line 2 of the printed bill, and inserting in lieu thereof the figures "1893."

Senator Runner moved to amend by striking out section 122.

Senator Wooding moved to amend the amendment by inserting after the word "taxes," in line 5 of the printed bill, the words "together with interest thereon at the rate of 8 per cent. per annum from date of delinquency to date of payment."

President Daniels resumed the chair.

On motion of Senator Deckebach, at 6:30 o'clock P. M., the Senate adjourned until to-morrow at 9:30 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, March 5, 1897. }
9:30 o'clock A. M.

President Daniels called the Senate to order at 9:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The secretary began the reading of the journal of yesterday.

On motion of Senator Taylor, the further reading of the journal was dispensed with and the journal approved.

President Daniels announced that he was authorized to tender the thanks of Wm. A. Newell to the members of the Senate, for their courtesy in passing a memorial to congress relative himself.

Senate bill No. 263, by Committee on Revenue and Taxation, "Relating to assessment and collection of taxes," which was under consideration at the time of adjournment of yesterday's session, was again taken up.

Senator Plummer offered the following substitute for all amendments to the bill now before the Senate, and also as a substitute for section 122:

SEC. 122. That all costs, penalties and interest now due on all state, county, school district, road district and municipality taxes levied for the year 1895 and previous years, and which have not been sold at tax sales, be and are hereby remitted, and the county treasurers of the respective counties in this state are authorized to receive in [and] receipt for the net amount of such taxes as originally levied: *Provided*, That all such taxes shall be paid on or before the 30th day of November, A. D. 1897, with the interest on same at the rate of ten per cent. per annum from April 1, 1897, and if not so paid then, all the penalties, costs and interest now charged against the same shall be and remain a charge against such delinquent property, and the said treasurer shall thereupon issue certificates of delinquency against any and all the said property in the same manner and to the same effect as provided for in this act in relation to certificates of delinquency; and the treasurer is hereby authorized to enter such remission upon his tax receipts when issued as discount.

The substitute was adopted by the following vote: Yeas 25, nays 7, absent or not voting 2.

Those voting yea were: Senators Baum, Crow, Davis, Deckebach, Easterday, Field, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Plummer, Pusey, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 25.

Those voting nay were: Senators Cole, Dorr, Miller T. J., Paul, Range, Reinhart, and Runner — 7.

Absent or not voting: Senators Frink and Hall — 2.

Senator Range moved to amend section 122 by striking out the words, "from April 1, 1897," in line 6 of the printed bill, and by striking out the word "ten" in the same line and insert in lieu thereof the word "eight."

The amendment was lost.

Senator Lesh offered the following amendment to section 122: After the word "discount," in line 11, insert the words: "*And provided further*, That the county commissioners of each county and the city council of each and every municipal corporation in this state shall have full power and authority to compromise any taxes becoming due prior to and including the year 1894, having in view the value of the property against which said taxes are a lien, compared with the taxes against such property, and having in view the present value of said property compared with the value at which it was assessed during the years delinquent prior to and including the year of 1894: *Provided, however*, That the compromise or reductions herein authorized can only become effective upon the parties owning said taxes paying all other taxes in full, except those levied in 1893 and 1894 and prior thereto, which, prior to January 1, 1898, shall be deemed paid in full if paid as herein provided."

The amendment was lost by the following vote: Yeas 11, nays 19, absent or not voting 4.

Those voting yea were: Senators Deckebach, Easterday, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Paul, Wilson, and Wooding — 11.

Those voting nay were: Senators Baum, Crow, Davis, Dorr, Field, Hall, High, Hill, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, and Yeend — 19.

Absent or not voting: Senators Cole, Frink, Harper, and Pusey — 4.

Senator Hill offered the following amendment to section 122:

Add to section 122 the words "*Provided further*, That the remission of penalty and interest on delinquent taxes, as provided for in this act, shall apply to property already sold for delinquent taxes, and which may be redeemed hereafter."

The amendment was lost.

Senator Dorr offered the following amendment to section 71: Add to section 71, "All penalties and interest hereafter collected on delinquent taxes shall be paid one-half into the general county fund, and one-half into the county general school fund."

On motion of Senator Taylor, section 69 was amended by inserting, after the word "however," in line 8 of the printed bill, the word "when," and after the word "more," in the same line, the words "against any one description."

Senator Plummer offered the following amendment to the amendment: Add to the amendment the words "*Provided*, That this shall not apply to that portion of penalty and interest due or to become due to cities."

The amendment to the amendment was carried.

The original amendment of Senator Dorr, as amended, was lost.

Senator Dorr offered the following amendment to section 65: In line 1 of the printed bill strike out the word "auditor," and insert in lieu thereof the word "assessor."

The amendment was lost.

Senator Taylor offered the following amendment to section 44: Insert after the word "lot," as in amendment, "*Provided*, That the board of county commissioners of any county may by order direct that the property be listed numerically, according to lots and blocks, or section, township and range, in the smallest platted or government subdivision, and when so listed the value of each block, lot or tract, the value of improvements thereon, and the total value thereof including improvements thereon, shall be extended after the description of each lot, block or tract, which last extension shall be in the column headed 'Total value of each tract, lot or block of land assessed with improvements as returned by the assessor.' In carrying the values of said property into the column representing the equalized value thereof, the county auditor shall include and carry over in one item the equalized valuation of all lots in one block, or lands in one section listed consecutively which belong to any one person, firm or corporation, and are situated within the same road and school district or municipal corporation,

and in the assessed value of which the county board of equalization has made no change. Where assessed valuations are changed the equalized valuation must be extended and shown by items."

The amendment was adopted.

Senator Taylor offered the following amendment to section 53: Strike out the period at the end of the last line and add the following: "And the board of county commissioners, in fixing, changing or revising the boundaries of any road district or districts, shall, wherever practicable, make the boundaries of such district or districts conform to the boundaries of the school district nearest coincident thereto, to the end that the several school and road districts in each county shall correspond in territory, one with the other: *Provided*, That any road district may include more than one school district."

The amendment was adopted.

On motion of Senator Taylor, section 107 was amended as follows: In line 6 of the printed bill, strike out the word "certificate" and insert, in lieu thereof, the word "order;" in the same line, after the word "lands," insert the words "or lots."

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 264, by Mr. Nelson (by request): An act to amend section 4 of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890.

Also, House bill No. 245, by Mr. Ross: An act to establish a state board of inspection for steam boilers, and for the examination and licensing of engineers.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed Senate memorial No. 10, by Senator David Miller, in relation to the survivors of the Indian war of 1855 and 1856 in the Territory (now State) of Washington, and the same is hereby transmitted to the Senate.

The House has passed House memorial No. 15, by Mr. Cline, in relation to the establishment of postal savings banks, and, on motion, the same was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has refused to concur in Senate amendments to House bill No. 234, entitled "An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act, and declaring an emergency;" that is to say, the house has refused to concur in the following amendments, to-wit: Strike out section 16; change section 24 to section 25, the same being unintelligible to the House, and the same is herewith returned. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 21, by Mr. Roberts, "In relation to directing the senators and representatives of the State of Washington in congress to use their utmost endeavors to secure the passage by congress of an act providing for the free and unlimited coinage of silver and gold at the ratio of sixteen to one," etc.

And on motion, the same was ordered transmitted to the Senate forthwith, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 180, by Mr. Pierson, "An act relating to scaling of logs and lumber."

Ordered transmitted to the Senate forthwith, and the same is herewith transmitted under suspension of rules. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 364, by Mr. Roberts, "An act to abolish the boards of trustees respectively of the Washington school for defective youth, the Washington state reform school, the Western Washington hospital for the insane, the Eastern Washington hospital for the insane, the Washington soldiers' home, and the board of directors of the state penitentiary, as now constituted, and to create a state board of audit and control for the government, control and maintenance of said institutions, and declaring an emergency."

Also, the House has passed House concurrent resolution No. 23, "In relation to the procurement, by exchange, of copies of the Session Laws for the use of legislative committees."

And on motion, the same were ordered transmitted to the Senate forthwith, and the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 185, entitled "An act for the protection of persons working in coal mines, and declaring an emergency."

Also, House bill No. 232, by Mr. de Mattos: "An act establishing a board of pardons and defining its duties, and declaring an emergency."

Also, House bill No. 243, by Mr. Roberts: "An act providing for a uniform system of public blanks for use in the counties of the State of Washington and regulating the manufacture and sale thereof by the state, and making an appropriation therefor."

And the same are herewith transmitted to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bills Nos. 135, 232 and 243.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 519, entitled "An act to provide for the punishment of recalcitrant witnesses," etc.

Also, House bill No. 375: "An act to amend section 1418 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the adoption of legal heirs."

Also, House memorial No. 3: "Asking congress to establish a life saving station on the coast of Washington, north of Gray's Harbor."

Also, House memorial No. 12: "Relating to claims of Wm. A. Newell for having originated the life saving service."

And the same are hereby transmitted to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bills Nos. 519 and 375, and the above House memorials Nos. 3 and 12.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 170, by Mr. de Mattos: "An act relating to court stenographers, appointment of duties and compensation." The rules were suspended, and the same is herewith transmitted.

S. P. CAURSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 76, by Senator Davis: "An act for the purpose of regulating payment of obligations in lawful money."

Amended: Strike out section 1, and insert sections 1, 2 and 3, attached.

And the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 402, by Committee on Forestry and Horticulture: "An act to promote and protect the fruit growing and horticultural interests of the State of Washington; to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith; to appropriate money therefor."

Also, House bill No. 309, by Mr. C. Smith: "An act for the protection of persons storing grain in warehouses, and providing a penalty."

Also, House bill No. 342, by Mr. Parker: "Regulating charges for grinding grain at flour mills."

Also, joint resolution No. 12, by Mr. Koehler: "Relating to cases pending between settlers and certain railroad companies."

Also, House bill No. 337, by Mr. C. Smith: "An act in relation to election of United States senator."

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

Senate bill No. 263, by Committee on Public Revenue and Taxation, "An act to provide for the assessment and collection of taxes in the State of Washington," was again taken up.

Senator Taylor offered the following amendment to section 93: In line 9 of the printed bill, strike out the period after the word "county" and insert the following: "In which case the form of the assessment or tax roll may be substantially as follows: [Here insert schedule.] And in that event the county assessor shall list the property upon the assessment or tax roll in this section provided for, and said assessment or tax roll, together with a detailed list, shall be delivered to the county board of equalization in the same manner and under the same certificate herein before required for the detailed lists and the county board of equalization shall equalize the values of and the county auditor shall extend the taxes levied upon the equalized valuation of said property upon said rolls in the manner provided for in the proviso in section 44 of this act, and such equalization and extension shall be deemed to be in lieu and take the place of the equalization and extension herein otherwise provided for to be made upon the detail lists."

The amendment was adopted.

Senator Taylor offered the following amendment to section 95: Strike out lines 1, 2 and 3 of the printed bill and insert the following: "After the first day of August in the calendar year next following the date of delinquency of the whole of the taxes charged against real property and after the first day of August next following the date of delinquency of the second installment of said taxes

(first installment having been paid), the treasurer shall make out certificates of delinquency against such delinquent property, and which certificates shall be numbered and have a stub which shall be a summary of the certificate and shall contain a statement."

The amendment was adopted.

Senator Crow moved as an amendment to section 72, that the word "thirty," in line 2 of the printed bill, be stricken out and the word "sixty" inserted in lieu thereof.

On motion of Senator Deckebach, at 12 o'clock M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

Senator Davis moved that the Senate concur in the House amendments to Senate bill No. 76, by Senator Davis, An act to prescribe the mode of payment of all obligations of debt to be paid in money.

The motion was lost by the following vote: Yeas 15, nays 14, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Easterday, Field, High, Hill, Keith, McReavy, Miller T. J., Paul, Plummer, Range, Reinbart, Runner, and Yeend — 15.

Those voting nay were: Senators Davis, Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Warburton, Washburn, Wilson, and Wooding — 14.

Absent or not voting: Senators Baum, Houghton, Miller David, Taylor, and Van Patten — 5.

Senator Davis gave notice that at the proper time he would move to reconsider the vote by which the preceding motion was lost.

On motion of Senator Taylor, the secretary was instructed to notify the House that the Senate had refused to concur in the House amendments to the preceding Senate bill No. 76.

Senate bill No. 263, by Committee on Revenue and Taxation, relating to assessment and collection of taxes, which was under consideration at the time of adjournment of the morning session, was again taken up.

The amendment of Senator Crow to section 72 was withdrawn.

On motion of Senator Taylor, section 63 was amended as follows: Add to section 63, the following: “*And provided further*, That all revenues, other than taxes, accruing to the county, after the first day of February, 1898, and payable under laws enacted heretofore, into the ‘general’ or ‘county’ fund, or ‘salary’ fund, shall be paid into said county current expense fund.”

On motion of Senator Taylor, section 72 was amended as follows: Add to section 72 the following: “*Provided further*, That the tax levied for the year 1896, on personal property, may be paid in two installments, according to the provisions of the law in force at the time of the levy of such taxes, and if not so paid, shall be collected immediately after delinquency, according to the provisions of this act.”

On motion of Senator Lesh, the following section was added:

SEC. 120. That the county commissioners of each county, and the city council of each and every municipal corporation in this state, shall have full power and authority to compromise any taxes becoming due prior to and including the year 1894, having in view the value of the property against which said taxes are a lien, compared with the taxes against such property, and having in view the present value of said property compared with the value at which it was assessed during the years delinquent prior to and including the year of 1894: *Provided, however*, That the compromise or reductions herein authorized can only become effective upon the parties owing said taxes paying all other taxes in full, except those levied in 1893 and 1894, and prior thereto, which prior to January 1, 1898, shall be deemed paid in full if paid as herein provided.

Senator Lewis offered the following amendment to the preceding section 120:

SEC. 120. The county commissioners of each county, and the city council of each and every municipal corporation in this state, shall have full power and authority to compromise any taxes for the year 1894 and prior years, having in view the value of the property against which said taxes are a lien, compared with the taxes against such property and having in view the present value of said property compared with the value at which it was assessed for the year of 1894 and prior years: *Provided, however*, That the compromise or reductions herein authorized must be made during 1897, and persons claiming the benefits of this section must pay all taxes at the time of such compromise.

The amendment was adopted.

On motion of Senator Taylor, the following sections were added:

SEC. 121. If any property owner shall pay taxes on the property of another by mistake of any kind, and the owner of such property fails or re-

fuses, after 30 days demand, to reimburse such payor before the date on which the delinquency certificates are issued, as provided in this act, the payor or his assignee may surrender the tax receipt given for such tax payment to the county treasurer and take a certificate of delinquency in lieu thereof, on payment of the accrued interest thereon.

SEC. 122. An emergency exists, and this act shall take effect immediately.

On motion of Senator Taylor, the original section 122 was amended as follows: After the word "sales," in line 3, section 122 of the printed bill, insert "to parties other than the county or municipality for which the original tax is levied."

Senator Warburton offered the following amendment to section 69: In line 6 of the printed bill, strike out the word "fifteen," and insert in lieu thereof the word "eighteen."

The amendment was lost.

Senator Paul offered the following amendment to section 13: Add "if not listed in said county, then to be taxed where found."

The amendment was adopted.

Senator Wilson offered the following amendment to Section 59: "Any party aggrieved by any decision of the board of equalization of any county may appeal therefrom to the superior court of such county in the manner provided for appeals from decisions of the boards of county commissioners: *Provided*, That the remedy by appeal shall be concurrent with all other remedies, and the right to question any decision of a county board of equalization for actual or constructive fraud, or for error of fact or law, shall not be denied in any court in any action or appeal heretofore or hereafter brought: *Provided*, That such appeal shall not have the effect to prevent or delay the levy or collection of the tax upon the valuation as fixed by the board of equalization, and if such tax shall be wrongfully collected as aforesaid the same shall be refunded to said aggrieved party, and in case the prosecuting attorney shall deem the equalized valuation of any property too low, he may appeal."

On motion of Senator Paul, the amendment was indefinitely postponed.

Senator Davis offered the following amendment to section 5: Strike out the last two words of line 3 of the printed bill, and all of lines 4, 5 and 6 of the printed bill.

Senator High offered the following substitute for the amendment: After the word "quantity," in line 4 of the printed bill, insert the

words “*Provided*, That each church be exempted from taxation to the extent of one thousand dollars.”

Senator Plummer moved that the amendment and substitute be indefinitely postponed.

The motion was carried by the following vote: Yeas 24, nays 8, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Easterday, Frink, Harper, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Range, Taylor, Van Patten, Warburton, Washburn, Wooding, and Yeend — 24.

Those voting nay were: Senators Davis, Field, Hall, High, Miller T. J., Reinhart, Runner, and Wilson — 8.

Absent or not voting: Senators Lesh and Pusey — 2.

Senator Wilson offered the following amendment to section 16: Insert in line 2 of the printed bill, after the word “schedules,” the words “to be paid for by the county at their cost to the state.”

The amendment was adopted.

Senator Taylor moved that the rules be suspended, the bill considered engrossed, and placed on its final passage.

The motion was carried by the following vote: Yeas 22, nays 10, absent or not voting 2.

Those voting yea were: Senators Cole, Crow, Davis, Easterday, Field, Harper, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, and Yeend — 22.

Those voting nay were: Senators Baum, Deckebach, Dorr, Frink, Lewis, Megler, Pusey, Washburn, Wilson, and Wooding — 10.

Absent or not voting: Senators Hall and Lesh — 2.

The bill was then placed on its final passage, and passed by the following vote: Yeas 25, nays 8, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Taylor, Warburton, Washburn, Wooding, and Yeend — 25.

Those voting nay were: Senators Dorr, Lewis, Miller T. J., Range, Reinhart, Runner, Van Patten, and Wilson — 8.

Absent or not voting: Senator Davis.

The emergency clause was passed by the following vote: Yeas 29, nays 4, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Crow, Davis,

Deckebach, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Those voting nay were: Senators Dorr, Rinehart, Runner, and Van Patten — 4.

Absent or not voting: Senator Range.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Taylor moved that the bill be re-engrossed, ordered to be given the right-of-way, and reprinted immediately.

The motion was carried.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 19, entitled "An act to protect manufacturers, bottlers and dealers in ale, porters, lager beer, soda, mineral waters, and other beverages, from the loss of their casks, barrels, kegs, bottles and boxes," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above, Senate bill No. 19.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 181, entitled "An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies, in the hands of the treasurer of the state," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above, Senate bill No. 181.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 22, entitled "An act providing for a lien for employes," have

had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above Senate bill No. 22.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 103, entitled "An act to amend sections 12 and 13 of an act entitled 'An act to define, regulate and govern the state penitentiary, and declaring an emergency,' approved March 9, 1891," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

The president of the Senate signed Senate bill No. 103.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 17, "Relating to state granted lands," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

The president of the Senate signed Senate concurrent resolution No. 17.

Pursuant to notice given on March 3, 1897, Senator Wilson moved to reconsider the vote by which Senate bill No. 116, by Senator Crow, "An act relating to deficiency judgments," was passed.

Senator Crow moved that the motion be indefinitely postponed.

The secretary began the reading of an article from the Emporia (Kansas) Gazette, at the request of Senator Dorr.

On motion of Senator Crow, the further reading of the article was dispensed with.

Senator Hall read the preceding article, which is entitled "What's the matter with Kansas?"

Senator Range entered his protest, as follows:

I enter my protest against the reading of antiquated Republican campaign documents in the Senate.

J. W. RANGE.

The motion of Senator Crow to indefinitely postpone the motion of Senator Wilson was lost by the following vote: Yeas 15, nays 19, absent or not voting 0.

Those voting yea were: Senators Cole, Crow, Davis, Field, Hill, Keith, McReavy, Miller David, Miller T. J., Plummer, Range, Runner, Taylor, Van Patten, and Yeend — 15.

Those voting nay were: Senators Baum, Deckebach, Dorr, East-erday, Frink, Hall, Harper, High, Houghton, Lesh, Lewis, Megler, Paul, Pusey, Reinhart, Warburton, Washburn, Wilson, and Wood-ing — 19.

Absent or not voting: None.

The motion to reconsider was lost by the following vote: Yeas 17, nays 17, absent or not voting 0.

Those voting yea were: Senators Baum, Deckebach, Dorr, East-erday, Frink, Hall, Harper, Houghton, Lesh, Lewis, Megler, Paul, Pusey, Warburton, Washburn, Wilson, and Wooding — 17.

Those voting nay were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, McReavy, Miller David, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 17.

Absent or not voting: None.

On motion of Senator Crow, the bill was ordered sent to the House immediately.

Senator Cole moved that the Senate refuse to recede from its amendment to House bill No. 371, by Mr. de Mattos, "An act to fix the fees to be collected by the secretary of state, in relation to corporations, and declaring an emergency."

The motion was carried.

Senator Cole moved that a conference committee of three be appointed to confer with a like committee from the House in regard to the differences between the two houses on the preceding Senate bill No. 371.

The motion was carried, and the president appointed Senators Cole, Baum and Dorr as such committee.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 71, by Mr. J. O. Edwards, An act prohibiting payment of wages in merchandise, etc.

Also, House bill No. 447, by Committee on Mines and Mining (substitute for House bill No. 65), Relating to a legal pay day.

Also, House bill No. 290, by Mr. J. M. Edwards, Relating to duties of county commissioners.

Also, House bill No. 227, by Mr. Tobiassen, To amend section 9 of an act protecting salmon and other food fishes in the State of Washington, approved February 11, 1890.

Also, House bill No. 388, by Mr. Ross, Amending sections 3122 and 3124 of volume 1, Hill's Code, relative to laborers' liens and claims.

Also, House bill No. 213, by Mr. Williams, In relation to labor claims.

Also, House bill No. 220, by Mr. Williams, Defining crime of abduction.

Also, House bill No. 217, by Mr. Williams, Protecting employes.

Also, House memorial No. 5, by Mr. Williams, Relative to the representation of Alaska.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 165, by Mr. Ames, An act amending an act relating to state grain inspector.

Also, House bill No. 222, by Mr. Irvin, An act relating to squirrel pest.

Also, House bill No. 347, by Mr. Day, An act to prevent corrupt practices at elections.

On motion, it was ordered that said bills be transmitted to the Senate forthwith.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 286, by Mr. H. D. Smith, An act providing for the collection of jury fees in civil actions.

Also, House bill No. 285, by Mr. Fritz, An act providing that corporations may be held liable for injuries sustained by employes, etc.

Also, House bill No. 169, by Mr. de Mattos, An act relating to mode of appeal in equity cases.

Also, House bill No. 339, by Mr. Pierson, An act to prevent persons attending theatrical or other performances from wearing obstructing head gear.

Ordered transmitted to the Senate forthwith.

The House has refused to recede from House amendment to Senate bill No. 76, entitled "An act to provide payment of obligations in money," and respectfully asks for a conference committee on same.

S. P. CARUSI, Chief Clerk.

President Daniels appointed Senators Davis, McReavy and Reinhart as such committee.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The speaker of the House has appointed the following named gentlemen, to wit: Messrs. Phelps, Geraghty and Ross, a committee to confer with the committee appointed by the president of the Senate on Senate bill No. 76, by Senator Davis.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has passed House bill No. 384, by Mr. Barlow, An act relating to the improvement of public highways.

Also, House bill No. 438, by Mr. Gilkey, Regulating splash dams.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

The House has adopted the report of conference committee on Senate bill No. 106, entitled "An act to provide for the purchasing of stationery," etc., which is as follows: That the House recede from their amendment striking "legislature" from the title, and also from line 2 of engrossed bill; and that the words "and officers" be added to the title, after the word "legislature," and also in line 2, engrossed bill, after the word "legislature."

S. P. CARUSI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL
No. 106.

MR. PRESIDENT:

We, your committee on conference, to whom was referred Senate bill No. 106, beg leave to report as follows: We recommend that the House recede from its amendment in striking out the word "legislature" in the title and in section 1, line 1 of the printed bill; and that the Senate concur in the House amendment inserting the word "and officers" in the title and in section 1, line 2 of the printed bill.

Respectfully submitted.

JOHN I. YEEND.

R. C. WASHBURN.

Senator Yeend moved to adopt the report.

The motion was lost.

Senator Plummer moved that when the Senate adjourn, it be until 7:30 o'clock this evening.

The motion was carried.

Pursuant to notice given on March 3, 1897, Senator Crow moved to reconsider the vote by which House bill No. 317, by Mr. C. P. Bush, "An act to provide for voting on an amendment to section

1 of article 2 of the constitution of the State of Washington, embodying the right of direct legislation by the people," failed to pass.

The motion was carried by the following vote: Yeas 25, nays 8, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Wilson, Wooding, and Yeend — 25.

Those voting nay were: Senators Deckebach, Frink, Harper, Lewis, Megler, Pusey, Warburton, and Washburn — 8.

Absent or not voting: Senator Lesh.

On motion of Senator High, the Senate took up Senate bill No. 177, by Senator High: An act providing for a constitutional amendment relating to the salaries of state officers.

The bill was read the third time by sections.

It was then placed on its final passage, and failed to pass by the following vote: Yeas 18, nays 15, absent or not voting 1.

Those voting yea were: Senators Baum, Crow, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, and Yeend — 18.

Those voting nay were: Senators Cole, Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Miller David, Paul, Pusey, Warburton, Washburn, Wilson, and Wooding — 15.

Absent or not voting: Senator Megler.

On motion, the following House bills were read:

House bill No. 418, by Mr. Bush: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 26, 29, 33 and 34 of "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 411, by Mr. Kittinger: An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric

and other railways, cemeteries, parks and any combinations thereof, with all land and property required therefor, providing for payment therefor, repealing an act entitled "An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency," approved February 10, 1893, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senator Hall moved that the Senate refuse to recede from its amendments to House bill No. 234, by Mr. McAtee, "An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act, and declaring an emergency," and that a conference committee of three be appointed to confer with a like committee from the House.

The motion was carried, and the president appointed Senators Hall, Baum and Range as such committee.

Unanimous consent was given to take up House concurrent resolution No. 27, by Mr. F. R. Baker, relative to the introduction of a bill by Senator T. J. Miller to appropriate money to pay the salaries of members and employes of this session of the legislature.

The resolution was adopted by the following vote: Yeas 26, nays 4, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Wooding, and Yeend — 26.

Those voting nay were: Senators Frink, Warburton, Washburn, and Wilson — 4.

Absent or not voting: Senators Harper, Lesh, Lewis, and Megler — 4.

On motion of Senator Keith, at 5:45 o'clock P. M., the Senate adjourned until 7:30 o'clock P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Range, who was excused.

Senate bill No. 287, by Senator T. J. Miller: An act appropriating the sum of ten thousand dollars or so much thereof as is necessary for the payment of the salaries of members and employes and other expenses of this session of the legislature.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider the preceding Senate bill No. 287.

The bill was considered in the committee, Senator Dorr in the chair, and reported back to the Senate without amendment.

The bill was then read the third time by sections, the rules suspended, the bill considered engrossed, placed on its final passage, and passed by the following vote: Yeas 23, nays 1, absent or not voting 10.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lewis, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Washburn, Wooding, and Yeend — 23.

Senator Wilson voted nay.

Absent or not voting: Senators Baum, Crow, Keith, Lesh, Megler, Range, Runner, Taylor, Van Patten, and Warburton — 10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer, the rules were suspended, and the bill was ordered transmitted to the House immediately.

Senator Easterday moved that the Senate take up Senate bill No. 15, by Senator Easterday: An act to repeal an act entitled "An act creating and establishing municipal courts in the cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their

practice and procedure, and providing judges and clerks therefor, and declaring an emergency," approved February 28, 1891, and all acts amendatory thereof, and abolishing courts and offices thereby created.

Senator Runner moved to amend by taking up House bill No. 417, by the Committee on Railroads: An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor.

The amendment was carried, and the motion, as amended, prevailed.

On motion of Senator Crow, action on the preceding House bill, No. 417, was deferred until to-morrow.

Senator Deckebach moved to adjourn.

The motion was lost.

Senator Easterday moved that the Senate take up Senate bill No. 15, by Senator Easterday: An act abolishing the offices of municipal judges and clerks in cities over twenty thousand inhabitants.

Senator Yeend moved to amend by taking up the regular calendar.

The amendment was carried, and the motion, as amended, prevailed.

Senator Deckebach moved to adjourn.

The motion was lost.

GENERAL FILE.

Senate bill No. 231, by Committee on State Penal and Reformatory Institutions: An act to amend section 20 of an act relating to the state penitentiary.

The bill was read the third time by sections.

On motion of Senator Yeend, section 1 was amended by striking out the word "three," in line 12 of the printed bill, and inserting in lieu thereof the word "four."

On motion of Senator Yeend, the following section was added:

SEC. 2. The warden of the penitentiary shall report to the governor at least once in three months the names of convicts who, by their faithful

performance of duties, good and meritorious conduct, he believes entitled to executive clemency, stating the time of conviction, for what crime convicted, length of sentence, and reasons for favorable consideration. Which reports shall be kept on file in the governor's office for reference.

The bill was then placed on its final passage, and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Cole, Lesh, Range, and Runner — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Yeend, the rules were suspended, and the bill ordered transmitted to the House immediately.

Senator Deckebach moved to adjourn.

The motion was lost.

Senate bill No. 239, by Committee on Penal and Reformatory Institutions: An act relating to improvements at the state penitentiary.

On motion of Senator Yeend, the Senate resolved itself into the committee of the whole, to consider the preceding Senate bill No. 239.

The bill was considered in the committee, Senator T. J. Miller in the chair, and reported back to the Senate without amendment.

On motion of Senator Dorr, the bill was passed over temporarily.

Senate bill No. 144, by Senator David Miller: An act providing for the employment of convicts confined in the state penitentiary.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Senator Reinhart voted nay.

Absent or not voting: Senators Megler, Lesh, Range, and Runner — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator David Miller, the rules were suspended, and the bill ordered transmitted to the House immediately.

Senator Keith gave notice that at the proper time he would move to reconsider the vote by which the Senate refused to concur in the House amendments to Senate bill No. 106, by Senator Cole, "An act providing for the purchase of stationery, desk supplies and furnishings required by the state and making an appropriation therefor."

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON PUBLIC MORALS.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 439, entitled "An act to amend sections 1, 2, 4 and 5 of an act entitled 'An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report:

W. B. FIELD.

R. C. WASHBURN.

REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 176, entitled "An act relating to the use or issue of free passes or transportation by or to public officials, providing a penalty, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 149, entitled "An act to prevent railroad companies and other common carriers of passengers for hire issuing limited tickets or return tickets; and to enforce the same by adequate penalties," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 238, entitled "An act providing that a judgment against a railroad company for injury to person or property, shall be a lien upon the property of the company prior and superior to any mortgage or trust deed executed after the taking effect of this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

W. E. RUNNER

J. C. VAN PATTEN.

T. J. MILLER.

F. M. BAUM.

C. W. DORR.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 420, entitled "An act to regulate and establish reasonable rates of compensation for carrying passengers and baggage on railroads in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments:

In section 1, line 1 of the printed bill, commencing with the word "from," strike out all of line 1, and all of line 2 up to and including the

figures "1899." Before the word "no," in line 2, insert the word "hereafter."

In line 3, strike out the words "or part of a railroad."

In line 6, after the word "age," strike out the word "and," and insert the word "or" in lieu thereof. In the same line, strike out the word "less," and insert the word "more" in lieu thereof.

In line 7, strike out the words "without additional charge." After the word "three," insert the words "and one-half." After the word "mile," insert the words "or fraction thereof." Before the word "for," strike out the word "and."

In line 8, strike out the word "less," and insert the word "more" in lieu thereof. After the word "baggage," in the same line, strike out the balance of the section, and insert in lieu thereof the words "one-half of the above rates; children under six years of age, accompanied by parents or guardians, shall be transported free: *Provided*, That no ticket need be sold for less than ten cents."

Section 2 was amended so as to read as follows:

SEC. 2. Each railroad corporation doing business within this state shall keep on sale at each of its principal ticket offices, or at least at one ticket office within each county through which or into which such company's or corporation's road extends "one thousand mile tickets" at a price not to exceed \$25.

Section 3 was amended to read as follows:

SEC. 3. All tickets purchased on any railroad within this state shall be good until used.

Section 4 was amended to read as follows:

SEC. 4. The rates herein established shall be known as first class rates, and passengers paying the same shall be entitled to all the rights and privileges accorded to passengers of the first class.

Section 5 was amended to read as follows:

SEC. 5. Any railroad company or corporation violating any of the provisions of this act shall, upon conviction, be fined in a sum not less than one hundred dollars nor more than five hundred dollars, and in addition be compelled to pay all costs of prosecution, including a reasonable attorney's fee for plaintiff's attorney, if any there be.

The balance of the bill was stricken out.

Senators Baum, Dorr and T. J. Miller dissent from that portion of the report fixing the passenger rate at three cents and a half per mile, and recommend that it be fixed at four cents per mile; they concur in the balance of the report.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 356, entitled "An act requiring common car-

riers to carry bicycles as baggage free of charge," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments: In section 1, line 6 of the printed bill, strike out all of the section after the word "ticket" and insert in lieu thereof the words "in lieu of all other baggage."

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 217, entitled "An act to regulate and establish reasonable rates of compensation for the transmission of messages by telegraph in the State of Washington, and fixing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

On motion of Senator Taylor, the above, Senate bill No. 217, was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 88, entitled "An act in regard to contracts affecting the liability of railroad companies for damages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 10, entitled "An act regulating passenger rates upon all railroads within the state, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

J. C. VAN PATTEN.

DAVID MILLER.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

W. E. RUNNER.

The report was adopted.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 260, entitled "An act providing for the service of summons and complaint upon corporations which have been doing business in this state, when such corporations are in the hands of a receiver and there are no officers in this state upon whom service of summons and complaint can be served," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Washburn, Lewis, Wilson, Houghton, Plummer, Dorr, and Warburton.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 281, entitled "An act relating to the service of process by sheriffs and other officers, and repealing section 2772 of the Code of 1881," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Plummer, Dorr, Houghton, Lewis and Washburn.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 241, entitled "An act regulating the killing and slaughtering of horned

cattle, providing for the keeping of their hides and ears, and providing a penalty for the neglect or refusal so to do," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Plummer, Dorr, Houghton, Lewis and Washburn.

REPORTS OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 274, entitled "An act defining the duties of physicians, accouchers and surgeons," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

D. E. LESH.

V. A. PUSEY.

W. B. FIELD.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 278, entitled "An act providing for a constitutional amendment relating to the reduction of the salaries of the superior court judges," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

D. E. LESH.

V. A. PUSEY.

W. B. FIELD.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 277, entitled "An act to amend sections 24 and 33 of 'An act defining a homestead,' " etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be reported without recommendation.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

D. E. LESH.

V. A. PUSEY.

W. B. FIELD.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 255, entitled "An act amending an act to authorize counties, cities and towns to issue bonds to fund their outstanding indebtedness," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be reported without recommendation.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

D. E. LESH.

V. A. PUSEY.

W. B. FIELD.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 279, entitled "An act relating to penalty and interest on state, county and municipal taxes," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be reported without recommendation.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

V. A. PUSEY.

D. E. LESH.

W. B. FIELD.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 256, entitled "An act in relation to manual training schools," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be reported without recommendation.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

W. B. FIELD.

D. E. LESH.

V. A. PUSEY.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 221, entitled "An act to provide for an educational university," have

had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

D. E. LESH.

W. B. FIELD.

L. C. CROW.

REPORT OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 197, entitled "An act providing for the survey and establishment of a state road, creating a commission, defining their duties, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report:

E. C. KEITH.

THOS. J. MILLER.

F. M. BAUM.

C. W. DORR.

DANIEL PAUL.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 108, entitled "An act to prevent the unauthorized interference with electric meters, wires and cables, used for measuring and conducting electric currents," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president signed the above Senate bill No. 108.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 56, entitled "An act relating to trade marks," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above Senate bill No. 56.

SENATE CHAMBER,
OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 69, entitled "An act for the relief of the widow of H. C. Ashenfelter, deceased," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above Senate bill No. 69.

SENATE CHAMBER,
OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate memorial No. 10, entitled "A memorial in relation to the survivors of the Indian war of 1855 and 1856 in the Territory (now State) of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president signed the above Senate memorial No. 10.

SENATE CHAMBER,
OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 21, entitled "An act amending section 2415, volume 1, Hill's Annotated Codes of Washington, in relation to an act for bond of contractors for security of laborers," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above, Senate bill No. 21.

SENATE CHAMBER,
OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 23, have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president signed the above, Senate concurrent resolution No. 23.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 5, entitled "An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

The president of the Senate signed the above Senate bill No. 5.

Senator Dorr moved that House bill No. 417, by Railroad Committee, Relating to maximum freight rates, be recommitted to the Committee on Corporations other than Municipal.

Senator Plummer moved as an amendment that the committee be requested to report thereon to-morrow morning, and that the bill retain its place on the calendar.

The amendment was carried, and the motion, as amended, prevailed.

On motion of Senator T. J. Miller, Senate bill No. 3, by Senator T. J. Miller, An act prohibiting the acceptance, using or tendering of free passes, franking privileges or discrimination in passenger, freight, telegraph and telephone rates, and declaring an emergency, was taken from the table.

On motion of Senator Deckebach, at 9:05 o'clock P. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, March 6, 1897. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

On motion of Senator Taylor, a copy of engrossed bill No. 263 was ordered sent to the printer immediately.

The journal of yesterday was read and approved.

HOUSE BILLS.

House bill No. 364, by Mr. Roberts: An act to abolish the boards of trustees respectively of the Washington school for defective youth, the Washington state reform school, the Western Washington hospital for the insane, the Eastern Washington hospital for the insane, the Washington soldiers' home and the board of directors of the state penitentiary, as now constituted, and to create a state board of audit and control for the government, control and maintenance of said institutions, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Privileges and Elections.

House bill No. 209, by Mr. Williams: An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense of the principal or principals on the same, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 402, by Committee on Forestry and Horticulture (substitute for House bills Nos. 50, 63, 288, 303 and 319): An act to promote and protect the fruit growing and horticultural interests of the State of Washington; to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith; to appropriate money therefor.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 342, by Mr. Parker: An act providing for the regulation of flouring mills in relation to the maximum rates of charges for grinding grain, and providing a penalty for the violation of this act.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 285, by Mr. Fritz: An act providing that corporations may be held liable for injuries sustained by employes, when resulting from negligence.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House bill No. 347, by Mr. Day: An act to prevent corrupt practices at elections in the State of Washington, and providing a penalty therefor.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

House bill No. 165, by Mr. Ames: An act to amend section 42 of an act entitled "An act to provide for state grain weighing and grading, and creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 169, by Mr. de Mattos: An act to prescribe the mode of appeal and what the transcript shall contain in all equity cases.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 222, by Mr. Irvin: An act to destroy the squirrel pest, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 339, by Mr. Pierson: An act to prevent persons attending theatrical or other performances, where an admission fee is charged, from wearing upon his or her head any hat, bonnet or covering for the head which may obstruct the view of any person

or persons during the performance in a theater, hall, opera house or building where such performance is given, prescribing a penalty for the violation of the same.

The bill was read the first time.

Senator Lesh moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Agriculture.

Senator Dorr moved to amend by referring it to the committee of the whole.

The amendment was lost.

Senator Deckebach moved to amend by referring it to the Committee on Irrigation.

The amendment was lost.

Senator High moved as an amendment that it be referred to the Committee on Public Morals.

The amendment was carried, and the motion, as amended, prevailed.

House bill No. 264, by Mr. Nelson (by request): An act to amend section 4 of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 170, by Mr. de Mattos: An act providing for the appointment, compensation and duties of court stenographers.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 245, by Mr. Ross: An act to establish a state board of inspection for steam boilers and for the examination and licensing of engineers.

The bill was read the first time; and, on motion of Senator Frink, the rules were suspended, the bill read the second time by title, and referred to the Committee on Manufactures.

House bill No. 309, by Mr. C. Smith: An act for the protection of persons storing grain in warehouses, and providing a penalty.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 337, by Mr. C. Smith: An act in relation to the election of United States senators.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Elections and Privileges.

House bill No. 180, by Mr. Pierson: An act to provide for the official scaling of logs and lumber.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Commerce.

House bill No. 286, by Mr. H. D. Smith: An act providing for the collection of jury fees in civil actions.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 227, by Mr. Tobiassen: An act to amend section 9 of an act entitled "An act to protect salmon and other food fishes in the State of Washington and upon all waters which this state has jurisdiction and concurrent jurisdiction," and approved February 11, 1891.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

House bill No. 338, by Mr. Witt: An act providing for the publication of summons, notices of sale and other court notices.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 447, by the Committee on Mines and Mining: An act entitled "An act to compel any person, firm, corporation or association in this state to pay all wages in lawful money of the United States."

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 213, by Mr. Williams: An act making claims for labor, damages, materials and supplies first and prior liens upon the property and assets of all corporations that may hereafter become insolvent, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 384, by Mr. Barlow: An act providing for the reservation and improvement of a portion of the public highways for the accommodation of bicycles and foot passengers.

The bill was read the first time; and, on motion of Senator Taylor, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 438, by Mr. Gilkey: An act to regulate splash dams on the streams of Washington.

The bill was read the first time; and, on motion of Senator Lesh, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 217, by Mr. Williams: An act to protect employes and guarantee their right to belong to labor organizations.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House bill No. 71, by Mr. J. O. Edwards: An act making it unlawful for corporations to pay the wages of workmen by them employed in either store goods, merchandise, written or verbal orders or time checks, and providing punishment for the violation thereof.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

House memorial No. 15, by Mr. Cline: In relation to establishment of postal savings banks.

The memorial was read the first time; and, on motion of Senator Wilson, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

House memorial No. 5, by Mr. Williams: Relative to a delegate to congress from Alaska.

The memorial was read the first time; and, on motion of Senator Wilson, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

House concurrent resolution No. 21, by Mr. Roberts: Relative to the passage of an act by congress providing for the free and unlimited coinage of silver at the ratio of 16 to 1.

The resolution was read the first time; and, on motion of Senator Plummer, the rules were suspended, the resolution read the second time by title, and referred to the Committee on Commerce.

House concurrent resolution No. 23, by Committee on State Buildings, Public Grounds and Libraries: In relation to the procurement by exchange of copies of the Session Laws for the use of legislative committees.

The memorial was read the first time; and, on motion of Senator Keith, the rules were suspended, the memorial read the second time by title, and placed on general file.

House joint resolution No. 12, by Mr. Koehler: Relative to the appointment of a committee to inquire into the proceedings of the interior department.

The memorial was read the first time; and, on motion of Senator Plummer, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Corporations other than Municipal.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 364, entitled "An act to abolish the boards of trustees respectively of the Washington school for defective youth, the Washington state reform school, the Western Washington hospital for the insane, the Eastern Washington hospital for the insane, the Washington soldiers' home, and the board of directors of the state penitentiary, as now constituted, and to create a state board of audit and control for the government, control and maintenance of said institutions, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

W. H. PLUMMER, Chairman.

J. A. DAVIS.

J. M. FRINK.

D. E. LESH.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 260, entitled "An act making an appropriation for the re-

lief of T. M. Alvord, on account of failure in title to university lands," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

L. C. CROW.

J. A. DAVIS.

S. WARBURTON.

REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 202, entitled "An act to amend section 1326 of Hill's Annotated Statutes and Codes of Washington, in relation to application for new trial and causes for which it may be granted in criminal cases," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

All the members of said committee concurring.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 62, entitled "An act to define the boundaries of Chehalis county," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill herewith submitted, entitled "An act relating to county boundaries," receive the same number and be substituted therefor, and that such substitute do pass.

Respectfully submitted by Senators Lewis, Washburn, Wilson, Plummer, and Dorr.

On motion of Senator Easterday, the report was adopted.

REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1897.

MR. PRESIDENT:

We, of your Committee on Education, to whom was referred House bill No. 472, entitled "An act to establish a general uniform system of public schools in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

On page 4, section 3, line 16, change "2" to "4."

On page 7, section 3, line 50, after the word "apportionment" insert

the words "he shall certify to the several county superintendents and to the state auditor the amount of funds due to each county, and the state auditor shall draw warrants on the state treasurer in favor of the several county treasurers for the amounts due their respective counties, as shown by the certificate of the superintendent of public instruction.

On page 7, strike the House amendment to lines 43, 44, 45, 46, 47 and 48 of printed bill, in section 3, and insert in line 47, after the word "thirty," the words "in each district."

On page 8, section 2, lines 1 and 9, strike the words "at the capital of the state on the first" and insert the words "on the last."

On page 30, section 1, line 9, change "two (2)" to "one hundred eighteen."

On page 30, section 2, line 1, change "one" to "one hundred seventeen."

On page 30, section 3, lines 1 and 2, change "one and two" to "one hundred seventeen and one hundred eighteen."

On page 33, section 2, line 2, change "one" to "one hundred twenty-eight."

On page 33, section 3, line 1, change "2" to "one hundred twenty-nine."

On page 34, section 4, line 1, change "two" to "one hundred twenty-nine."

On page 34, section 4, line 10, change "two" to "one hundred twenty-nine."

On page 34, section 5, line 2, change "two" to "one hundred twenty-nine."

On page 34, section 5, line 6, change "two" to "one hundred twenty-nine."

On page 35, section 5, line 22, change "two" to "one hundred twenty-nine."

On page 35, section 6, line 1, change "five" to "one hundred thirty-two."

On page 35, section 6, line 5, change "two" to "one hundred twenty-nine."

On page 35, section 6, line 17, change "five" to "one hundred thirty-two."

On page 35, section 7, line 3, change "two" to "one hundred twenty-nine."

On page 35, section 8, line 2, change "three" to "one hundred thirty."

On page 35, section 8, line 9, change "two" to "one hundred twenty-nine."

On page 35, section 8, line 26, change "two" to "one hundred twenty-nine."

On page 53, section 9, line 3, change "principals of" to "principal and."

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

D. E. LESH.

V. A. Pusey.

REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 411, entitled "An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, cemeteries, parks and any combinations thereof, with all land and property required therefor, providing for payment therefor, repealing an act entitled 'An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants and to issue bonds to pay therefor, and declaring an emergency,' approved February 10, 1893, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

D. E. LESH, Chairman.

We concur in this report:

W. H. PLUMMER.

V. A. PUSEY.

DAVID MILLER.

E. C. KEITH.

H. E. HOUGHTON.

REPORT OF COMMITTEE ON STATE GRANTED, SCHOOL
AND TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 194, entitled "An act to amend an act relating to public lands, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendment: In section one (1), line thirty-four (34), after the word "business," insert "and from the decision of the land commissioner, an appeal may be taken to the superior court of the county within which such tide lands are situate, such appeal to be taken and prosecuted in the same manner as other appeals from the decision of the land commissioner."

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

JOHN WOODING.

D. E. LESH.

On motion of Senator Wooding, the above Senate bill No. 194 was placed on general file.

REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 167, entitled "An act to provide for the establishment of a state mining bureau," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report:

J. A. DAVIS.

W. B. FIELD.

V. A. PUSEY.

D. E. LESH.

REPORTS OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 269, entitled "An act to amend sections 29 [28] and 35 [34] of an act entitled 'An act to provide for state grain weighing and grading, and creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000,' approved March 19, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass when amended as follows: Section 2, strike the last three lines of section 2 printed bill, and insert the following: "twenty tons shall be considered a carload, but for any quantity less than twenty tons the inspection fee shall be five cents per ton: *Provided*, That no inspection charge for a quantity less than twenty tons shall be greater than seventy-five cents.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 180, entitled "An act to repeal an act to provide for state grain weighing and grading, creating the office of state grain inspector, establishing a state grain commission and making an appropriation of \$2,000," have had the same under consideration, and we respectfully report the

same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 231, entitled "An act to amend section 87, Penal Code of Washington, relating to herding and driving sheep upon the lands of another," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

DAVID MILLER.

J. C. VAN PATTEN.

JOSEPH HILL.

On motion of Senator Hall, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 354, entitled "An act to provide for the publishing of the third biennial report of the state board of horticulture, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

DAVID MILLER.

J. C. VAN PATTEN.

JOSEPH HILL.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 417, entitled "An act to establish and fix reasonable maximum rates of charges for the transportation of freight by railroad companies and other common carriers doing business in the

State of Washington, and to correct abuses and to prevent and prohibit discrimination by railroad companies and other common carriers doing business in the State of Washington against persons, firms, companies, corporations and localities in the matter of said rates and facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and providing for penalties by fine or imprisonment, or both such fine and imprisonment, for a failure to observe the rates and regulations and prohibition so established and fixed as aforesaid, and providing a method for determining the reasonableness of said rates and regulations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass as amended.

Amend the title so as to read as follows: "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor."

In section 1, line 2 of the printed bill, after the word "charge," strike out all the balance of the line, and the word "copartnership" in line 3; also, after the word "hauling" in line 3, strike out the words "or carrying."

In line 5, before the word "per," strike out the figures "\$3.50" and insert the figures "\$4.00" in lieu thereof; and after the word "miles" strike out the words "or over."

In line 10, after the word "exceeding," strike out the words "55 cents" and insert the words "45 cents" in lieu thereof.

In line 12, after the word "for," strike out the words "carrying or."

In line 13, after the word "exceed," strike out the figures "\$3.50," and insert the figures "\$4.00" in lieu thereof.

In line 15, after the words "defined to be," strike out the words "and shall be held to be and include." After the word "corn," place a comma, and strike out the word "and," after the word "corn."

In line 16, strike out the word "and" wherever it occurs in the printed bill. After the word "flour," place a comma. After the word "bales," insert the words "and hops in bales."

Section 2 was amended to read as follows:

SEC. 2. No railroad company or other common carrier, its agents or employees doing business within this state, shall charge for hauling live stock, as defined in this section, in carload lots, from one point within this state to another point within this state, at a rate exceeding \$62 per car of 28 or more feet in length for a distance of 350 miles, and at a rate exceeding \$55 per car of 28 or more feet in length for a distance of 300 miles, and at a rate exceeding \$51 per car for a distance of 250 miles, and at a rate exceeding \$46 per car for a distance of 200 miles, and at a rate exceeding \$39 per car for a distance of 150 miles, and at a rate exceeding \$31 per car for a distance of 100 miles, and at a rate exceeding \$21 per car for a distance of 50 miles, and at a rate exceeding \$10 per car for a distance of 10 miles, and at a rate exceeding a proportionate sum of the foregoing fixed rates for intermediate distances of the foregoing fixed distances: *Provided*, That no charge for hauling freight afore-

said in carload lots in this section mentioned shall exceed \$62 per car from any point within this state to another point within this state. Live stock mentioned herein is defined to be hogs, cattle, horses, sheep and mules.

Section 3 was amended to read as follows:

SEC. 3. No common carrier operating a line of railroad in this state shall charge for hauling coal, rock, brick, stone, gravel, drain tile or sewer pipe in carload lots from one point in this state to another point in this state at rates exceeding the following, to wit: 60 cents per ton for distances not exceeding 20 miles, and for each mile of distance in excess of 20 miles and up to a distance of 50 miles, two-thirds of 1 cent per ton; and for each mile of distance in excess of 50 and up to a total distance of 100 miles, three-fifths of 1 cent per ton; and for each mile of distance in excess of 100 one-half of 1 cent per ton.

Sections 4, 5 and 6 were stricken out.

Section 7 was then made section 4, and amended to read as follows:

SEC. 4. No railroad company or other common carrier, its agents or employes, doing business within the State of Washington, shall charge for hauling fruit in boxes, barrels or crates; and potatoes, onions and vegetables of all kinds in sacks, boxes or barrels; and eggs in boxes, barrels or cases; and butter in boxes, barrels or pails; and cheese, tallow and lard in barrels, kegs or cans, and wool in sacks, in carload lots from one point within this state to another point within this state, at a rate exceeding 85 per cent. of the rate charged by said railroad or carrier for hauling or carrying a like kind of freight on the first day of January, 1897, on the basis of the rate charged by the Northern Pacific Railway Company on the second day of January, 1897.

Section 8 was made section 5, and was amended to read as follows:

SEC. 5. Not less than ten tons shall be required to make up a carload lot, as that term is used in this act: *Provided*, That not less than nine tons of hay or wool shall be required to make a carload.

Section 9 was stricken out.

Section 10 was made section 6, and was amended to read as follows:

SEC. 6. Any agent or employe of any railroad company or other common carrier doing business within the State of Washington, who shall violate or evade any of the provisions of the foregoing sections of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, or may be imprisoned in the county jail for a period of not less than six months nor more than one year, or both such fine and imprisonment, and on the trial of any person or persons accused under this section of the offense aforesaid, it shall not be a defense to such charge of the violation of this section for such person or persons to prove that he or they were instructed or ordered to commit the acts charged in the information or indictment, by an officer or agent, or employe of the railroad company or other common carrier for which he or they were employed at the time the violation charged in the information or indictment occurred, and on said trial proof that the person accused in the information or indictment received money or issued freight bills or receipts for the railroad company or other common carrier mentioned in the information or indictment, shall be prima facie proof of the agency charged in the information or indictment, and the court shall so instruct the jury in such case.

Section 11 was stricken out.

Section 12 was made section 7. In line 14 the word "and" in brackets was stricken out.

Section 13 was made section 8.

Section 14 was made section 9. In line 6 strike out the words "the freight rate," and insert the words "a higher proportionate rate than the rates provided in this act" in lieu thereof. In line 7 strike out the words "contrary to the provisions of this act." In line 12, after the word

"action," commencing with the word "and," strike out the balance of the section.

Section 15 was made section 10. In line 4 strike out the last word "to," and in line 5 strike out the first word "refuse." In line 6, after the word "act," strike out the word "or." In line 8 strike out the word "from." In line 10 strike out the third word "any." In line 12 strike out the expression "\$5,000 dollars" and insert "\$1,000" in lieu thereof.

Section 16 was made section 11. After the words "provisions of," in line 9, strike out the balance of the section and insert the words "sections 1, 2, 3, 4 and 5 of this act" in lieu thereof.

Section 17 was made section 12. In line 14 strike out the word "mandamus" and insert the word "mandate" in lieu thereof.

Section 18 was made section 13. In line 9, after the word "railroad," strike out the word "and" and insert the word "or."

Section 19 was made section 14. In line 2 strike out the words "section 18 or section 19" and insert the words "sections 12 or 13" in lieu thereof. In line 3 strike out the words "or section 20." In line 15 strike out the words "held to be sufficient to establish" and insert the words "prima facie proof of" in lieu thereof. In line 17, after the word "tried," strike out the balance of the section.

Section 20 was made section 15. In line 5 strike out the words "offering to pay" and insert the words "tendering (which tender must be kept good)" in lieu thereof. In line 8, after the word "proceedings," insert a comma and strike out the word "and." In line 10, after the word "state," strike out the balance of the line and all of the next line up to the word "the." In line 20 strike out all after the word "writ," all of line 21 and the first word of line 22. At the end of the section insert the sentence: "In any such action the court shall tax as a part of the costs of the case, if the plaintiff is successful, a reasonable attorney's fee."

Section 21 was made section 16.

Section 22 was made section 17. In the printed bill, in lines 6, 76 and 82, the word "Spokane" was changed to "Thurston" to correspond with the engrossed bill. In line 61 the brackets were stricken which enclose the word "one." In line 65, after the word "denial," strike out "of" and insert "on." In line 66 remove the brackets from the word "one." In line 67 strike out "get" and insert "set." In line 76 strike out the word "several," and make the word "judge" plural. In line 77 strike out the word "their" and insert the word "his." In line 78 strike out the word "them" and insert the word "him." In line 92 strike out the word "and," before the word "set," and insert the word "or" in lieu thereof.

Section 23 was made section 18. In line 1, strike out the word "other" in brackets. In line 2, change the figures "24" to "17," and do the same in lines 5 and 14.

Section 24 was made section 19, and amended to read as follows:

SEC. 19. Whenever any action shall be brought by any railroad company or other common carrier against the State of Washington under the provisions of and for any of the purposes mentioned in section 17 of this act, the attorney general of the State of Washing-

ton, if he shall deem it necessary, shall employ in behalf of and at the expense of this state special counsel to assist in defending said action or actions, and all such litigation shall be under the control and management of said attorney general and said special counsel, and for the purpose of paying said special counsel there is hereby appropriated of the moneys in the state treasury of the State of Washington not otherwise appropriated the sum of five thousand dollars, to be used in the payment of the said special counsel, or so much thereof as may be necessary. And the further sum of three thousand dollars, or so much thereof as shall be necessary, is hereby appropriated to pay for necessary witness fees of witnesses required by the state in the defense of any such actions. All bills for which appropriations are made in this act shall be audited by the state auditor, who shall draw warrants therefor: *Provided*, That the clerk of the court shall first certify to said auditor as to all witness fees.

Section 25 was made section 20.

Sections 26 and 27 were stricken out.

A new section, numbered section 21, was then inserted, which reads as follows:

SEC. 21. All penalties recovered by the state under the provisions of this act shall be paid into the general school fund.

Senators Crow and Runner dissent from that portion of the report fixing the maximum freight rate at \$4 per ton, and recommend that it be made \$3.75 per ton; they concur in the balance of the report.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

W. E. RUNNER.

C. W. DORR.

F. M. BAUM.

THOS. J. MILLER.

DAVID MILLER.

J. C. VAN PATTEN.

On motion of Senator David Miller, the report was adopted.

The conference committee on Senate bill No. 93 submitted the following report:

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1897.

The Honorable, the President and Senate:

Your committee appointed on the part of the Senate to confer with like committee of the House upon amendment of the House to Senate bill No. 93, in which the Senate refuse to concur, respectfully report that the committee of conference, appointed as above, after conference, have agreed to recommend that the Senate recede from its refusal to concur in the House amendment to Senate bill No. 93, and that said amendment be concurred in by the Senate.

Respectfully submitted.

H. E. HOUGHTON.

OLIVER HALL.

JOSEPH HILL.

Senator Houghton moved that the report be adopted, and that the Senate concur in the House amendment to said bill.

The motion was carried by the following vote: Yeas 31, nays 2, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Rinehart, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend—31.

Those voting nay were: Senators Lewis and Van Patten—2.

Absent or not voting: Senator Keith.

Senator Yeend moved that a free conference committee of five members be appointed to confer with a like committee from the House on Senate bill No. 106, by Senator Cole: An act providing for the purchase of stationery, desk supplies and furnishings required by the state, and making an appropriation therefor.

The motion was carried.

The Committee on Engrossed Bills submitted the following report:

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 263, entitled "An act to provide for the assessment and collection of taxes in the State of Washington," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. W. RANGE.

On motion of Senator Plummer, the Senate resolved itself into the committee of the whole to consider House bill No. 417, by the Railroad Committee (substitute for House bill No. 294): An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor.

Senator Plummer was called into the chair to preside over the committee.

At 12 o'clock M. the committee arose and asked that it be permitted to sit again.

At 12 o'clock m. Senator Megler moved to adjourn until 2 o'clock p. m.

Senator Plummer moved to amend by adjourning until 1:30 o'clock p. m.

The amendment was carried and the motion, as amended, prevailed.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:30 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present.

On motion of Senator Plummer, the Senate again resolved itself into the committee of the whole to consider House bill No. 417, An act to regulate common carriers, etc., which it was considering during the morning session.

Senator Plummer was called into the chair to preside over the committee.

The committee arose, and the clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The House has passed House bill No. 321, by Mr. Pierson, An act providing for the public documents of State of Washington.

Also, the House has passed House bill No. 162, by Mr. A. S. Bush, An act securing to the public the continued use of natural oyster beds, and declaring an emergency.

Also, the House has passed House bill No. 414, by Mr. Kittinger, An act providing for the assessment and collection for street improvements in cities of the first class, and declaring an emergency.

Also, the House has passed House bill No. 413, by Mr. Kittinger, Providing for the construction of bulkheads in cities of the first class.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The House has passed House bill No. 75, by Mr. C. P. Bush, An act relating to arid lands.

Also, House bill No. 412, by Mr. Kittinger, Authorizing county commissioners to expend road tax money on highways.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The House has passed House bill No. 459, by Mr. Phelps, An act providing for a state wagon road, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 56, An act relating to trade marks, and the same is herewith returned.

S. P. CARUSI, Chief clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 181, An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies, in the hands of the treasurer of the state.

Also, the speaker of the House has signed Senate bill No. 19, An act to protect manufacturers, bottlers and dealers in ale, porter, lager beer, soda, mineral waters and other beverages from the loss of their casks, barrels, kegs, bottles and boxes.

And the same are herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate concurrent resolution No. 17, relating to state granted lands.

Also, the speaker of the House has signed Senate bill No. 103: An act to amend sections 12 and 13 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891.

Also, the speaker of the House has signed Senate bill No. 22: An act providing for a lien for employes.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate concurrent resolution No. 23, extending the congratulations of the Senate and House of Repre-

sentatives of the State of Washington to William McKinley, the president of the United States (two copies).

Also, the speaker of the House has signed Senate memorial No. 10: A memorial in relation to the survivors of the Indian war of 1855 and 1856, in the Territory (now State) of Washington.

Also, the speaker of the House has signed Senate bill No. 69: An act for the relief of the widow of H. C. Ashenfelter, deceased.

And the same are herewith.

S. P. CAURSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 108, An act to prevent the unauthorized interference with electric meters, wires and cables used for measuring and conducting electric currents.

Also, the speaker of the House has signed Senate bill No. 5, An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington.

Also, the speaker of the House has signed Senate bill No. 21, An act amending section 2415, volume 1, Hill's Annotated Code of Washington, in relation to an act for bond of contractors for security of laborers.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 67, An act to amend sections 4 and 10 of an act entitled "An act to regulate the mode of proceeding to appropriate lands, real estate or other property, by corporations for corporate purposes and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency," approved March 21, 1890, the same being sections 651 and 657 of volume 2 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency.

Also, the speaker of the House has signed House memorial No. 8, relative to building a lighthouse and harbor at the mouth of the Quillayute river.

And the same are herewith for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1897.

MR. PRESIDENT:

The House has passed House bill No. 387, by Mr. Irvin: An act amending an act relative to removal of inmates of hospital for the insane, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

On motion of Senator Easterday, the Senate again resolved itself into the committee of the whole to consider House bill No. 417.

Senator Plummer was again called into the chair to preside over the committee.

The committee arose and reported the bill back to the Senate, with the following amendments:

In section 2, line 12 of the printed bill, strike out the word "freight," and insert in lieu thereof the words "live stock."

In section 4, line 7 of the printed bill, strike out the word "first," and insert in lieu thereof the word "second."

In section 3, line 7 of the printed bill, after the figures "100," insert the word "miles."

In section 14, line 9 of the printed bill, after the word "ordered," insert the words "by an officer or agent or employe of the railroad company or other common carrier for which he was employed at the time the violation aforesaid occurred." Strike out all of line 11 of the printed bill and all of line 12 up to and including the word "occurred."

Substitute for section 1 the following:

SECTION 1. No railroad company or other common carrier, its agents or employes, doing business within this state, shall charge for hauling agricultural products, as defined in this section, in carload lots, from one point within this state to another point within this state, at a rate exceeding \$4.25 per ton for a distance of haul of 300 miles or over; and at a rate exceeding 90 per cent. of the rate actually in effect on January 2, 1897, for any distance of haul less than 300 miles: *Provided*, That no charge for hauling freight aforesaid in carload lots in this section mentioned, shall exceed \$4.25 per ton from any point within this state to another point within this state. "Agricultural products" mentioned herein is defined to be corn, grain of all kinds, flour, feed, mill stuffs, flax seed, hay compressed in bales, hops compressed in bales.

Strike out sections 2 and 3.

Substitute for section 4 the following:

SEC. 4. No railroad company or other common carrier, its agents or employes, doing business within the State of Washington, shall charge for hauling in carload lots, fruit in boxes, barrels or crates, potatoes, onions and vegetables of all kinds in sacks or barrels, and eggs in boxes, barrels or cases, and butter in boxes, barrels or pails, and cheese, tallow and lard in barrels, kegs or cans, and wool in sacks, and logs, lumber and lumber products, from one point within this state to another point within this state at a rate exceeding eighty per cent. of the rate charged by said railroad or carrier for hauling or carrying a like kind of freight on the second day of January, 1897, on the basis of the rate charged by the Northern Pacific Railroad Company on the second day of January, 1897. The said companies and carriers shall be required to receive and

transport any or all the products mentioned in this section in mixed carload lots at the highest rate applicable to any product contained in any such mixed carload.

Add to section 8 the following: *Provided*, That nothing contained in this section shall require any railroad company or common carrier to deliver any freight to a competing line to be hauled to the point of destination of such freight, when the carrier receiving such freight is able to haul or cause the same to be hauled at the same rate over its own line or lines, or lines connecting with such receiving carriers by traffic agreement.

In section 10 strike out all of the section beginning with the word "occurred," in line 13 of printed bill, and ending with the word "herein," in line 25 of the printed bill.

In section 11 strike out all of line 5 of the printed bill after the word "construed," strike out all of line 6 of the printed bill and all of line 7 of the printed bill up to the words "as authorizing," and in line 9 of the printed bill strike out the figures "3, 4 and 5" and insert "and" between the figures "1, 2."

Add to section 12 the following: *Provided*, That nothing herein contained shall prevent the granting of emergency rates, and the usual classification of rates as to kind, value and quantity and the basing of rates thereon.

In section 17, line 94, after the word "state" and before the word "and," insert the following: "All the evidence and proceedings before the superior court shall be certified in the record to the supreme court, and that court shall hear and decide the cause de novo both upon the law and facts."

Add to section 21 the following: "Nothing in this act shall apply to any railroad within this state which does not exceed 150 miles in length, or to any extension or branches of such railroads, or new railroads hereafter constructed; and the building of extensions or branches of any such railroad shall not have the effect of bringing any such railroad within the provisions of this act."

Senator Houghton moved to strike out sections 17, 18 and 19, and add the following House bill, containing 39 sections: House bill No. 358, by Mr. Stafford: An act to regulate common carriers and to create a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in charges of common carriers may be prevented and reasonable freight and passenger tariffs may be established; to prescribe and authorize the

making of rules and regulations to govern the commission and common carriers, and afford common carriers and other parties adequate remedies; to prescribe penalties for the violation of this act and to provide measures and rules for its enforcement; and declaring an emergency.

The amendment was lost by the following vote: Yeas 5, nays 27, absent or not voting 2.

Those voting yea were: Senators Baum, Hill, Houghton, Miller David, and Plummer — 5.

Those voting nay were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Pusey, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Absent or not voting: Senators Range and Van Patten — 2.

Senator Plummer moved that the bill be placed on its final passage.

Senator Megler moved as an amendment that the rules be suspended, and reading of the bill in the committee be considered the third reading in the Senate.

The amendment was accepted by Senator Plummer, and the motion, as amended, prevailed.

It was then placed on its final passage, and passed by the following vote: Yeas 31, nays 2, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 31.

Those voting nay were: Senators Crow and Runner — 2.

Absent or not voting: Senator Van Patten.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators David Miller and Yeend entered the following protests:

MR. PRESIDENT:

I will vote for this bill, but I desire to enter my protest against all those amendments made by the Senate after the bill was reported by the Senate committee.

DAVID MILLER.

In giving my vote, Mr. President, I wish to protest against the bill as it now stands, as it affords no relief whatever, to those counties south of

Snake river. But as I also represent Adams and Franklin counties, which may derive some small benefit, I therefor vote aye.

JOHN I. YEEND.

Senator Lesh moved that the bill be engrossed and sent to the House immediately.

The motion was carried.

Senator Wilson gave notice that at the proper time he would move to reconsider the vote by which the preceding House bill No. 417 was passed.

On motion of Senator Crow, at 5:50 o'clock P. M., the Senate adjourned until 7:30 o'clock P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Van Patten.

The conference committee on House bill No. 371 submitted the following report:

To the Honorable, the Senate of the State of Washington:

We, your committee appointed to meet a like committee from the House in conference on House bill No. 371, would respectfully report that said conference committee met on this day, and could not agree as to the amendments made by the Senate to said House bill No. 371.

J. A. COLE, Chairman.

C. W. DORR.

F. M. BAUM.

Senator High moved that a free conference committee of five members be appointed to confer with a like committee from the House in regard to the preceding House bill No. 371.

The motion was carried.

Senator Range presented a memorial from the city council of Seattle, praying for the enactment into law of House bills Nos. 411, 412, 413, 414 and 415.

The memorial was referred to the sifting committee.

On motion of Senator Easterday, the Senate took up Senate bill No. 15, by Senator Easterday: An act abolishing the offices of

municipal judges and clerks in cities over twenty thousand inhabitants.

The bill was read the third time by sections.

On motion of Senator Easterday, section 2 was stricken out.

Senator Crow was called into the chair.

Senator Warburton moved that the bill be indefinitely postponed.

The motion was lost by the following vote: Yeas 13, nays 17, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Davis, Deckebach, Harper, Lewis, Megler, Paul, Pusey, Range, Warburton, Washburn, and Wooding — 13.

Those voting nay were: Senators Cole, Dorr, Easterday, Field, Frink, High, Hill, Houghton, Keith, Miller David, Miller T. J., Plummer, Reinhart, Runner, Taylor, Wilson, and Yeend — 17.

Absent or not voting: Senators Hall, Lesh, McReavy, and Van Patten — 4.

On motion of Senator Warburton, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It failed to pass by the following vote: Yeas 16, nays 12, absent or not voting 6.

Those voting yea were: Senators Cole, Dorr, Easterday, Field, Frink, High, Hill, Houghton, Keith, Lewis, Miller David, Miller T. J., Plummer, Warburton, Wilson, and Yeend — 16.

Those voting nay were: Senators Baum, Crow, Davis, Deckebach, Harper, Megler, Paul, Pusey, Range, Taylor, Washburn, and Wooding — 12.

Absent or not voting: Senators Hall, Lesh, McReavy, Reinhart, Runner, and Van Patten — 6.

Senator Taylor gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill No. 15 failed to pass.

President Daniels resumed the chair.

Unanimous consent was given to take up House bill No. 281, by Mr. Hansen: An act to amend an act entitled "An act exempting the proceeds of life insurance from liability for debt, and declaring an emergency," approved March 20, 1895.

The bill was read the third time by sections.

Senator Dorr moved to strike out section 2.

Senator Plummer moved as an amendment that it be amended to

read as follows: An emergency exists and this act shall take effect immediately.

The motion was carried.

It was then placed on its final passage, and passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Warburton, Washburn, Wooding, and Yeend — 29.

Senator Easterday voted nay.

Absent or not voting: Senators McReavy, Reinhart, Van Patten, and Wilson — 4.

The emergency clause was passed by the following vote: Yeas 24, nays 2, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Taylor, Warburton, Washburn, and Wooding — 24.

Those voting nay were: Senators Easterday and Wilson — 2.

Absent or not voting: Senators Crow, Frink, Lesh, McReavy, Reinhart, Runner, Van Patten, and Yeend — 8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Houghton, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Range, the Senate resolved itself into the committee of the whole to consider House bill No. 260, An act for the relief of T. M. Alvord, and Senate bill No. 220, An act for the relief of the Union Savings Bank and Trust Company.

The bills were considered in the committee, Senator Dorr in the chair, and reported back to the Senate as follows: House bill No. 260 without amendment, and Senate bill No. 220 with amendment striking out section 3.

The report of the committee on Senate bill No. 220 was adopted.

It was then placed on its final passage, and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David,

Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Warburton, Washburn, Wilson, and Wooding — 30.

Nays: None.

Absent or not voting: Senators High, Reinhart, Van Patten, and Yeend — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The report of the committee on House bill No. 260 was adopted.

It was placed on its final passage, and passed by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Davis, Deckebach, Easterday, Frink, Hall, Harper, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Warburton, Washburn, Wilson, and Wooding — 21.

Those voting nay were: Senators Baum, Crow, Dorr, Field, High, Hill, and Taylor — 7.

Absent or not voting: Senators Cole, Houghton, Reinhart, Runner, Van Patten, and Yeend — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 236, by Senator High: An act to amend section 2615 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to state board of health.

The bill was read the third time by sections.

On motion of Senator Lesh, section 1 was amended by inserting before the word "expenses" in line 5 of the printed bill the words "his actual traveling."

Senator Lesh moved to amend section 1 by striking out the word "one" in line 4 of the printed bill, inserting in lieu thereof the word "four."

The amendment was lost.

On motion of Senator Wilson, section 1 was further amended by inserting after the word "certify" in line 8 of the printed bill, the words "with the proper vouchers."

The bill was then placed on its final passage, and passed by the following vote: Yeas 25, nays 3, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Warburton, Wilson, and Wooding — 25.

Those voting nay were: Senators Crow, Deckebach, and Washburn — 3.

Absent or not voting: Senators Davis, Harper, McReavy, Reinhart, Van Patten, and Yeend — 6.

The emergency clause failed to pass by the following vote: Yeas 22, nays 6, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lesh, Lewis, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, and Warburton — 22.

Those voting nay were: Senators Crow, Deckebach, Megler, Washburn, Wilson, and Wooding — 6.

Absent or not voting: Senators Davis, Harper, McReavy, Reinhart, Van Patten, and Yeend — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 10:25 o'clock P. M., Senator Deckebach moved to adjourn.

Senator Lewis moved as an amendment that the adjournment be until Monday at 11 o'clock A. M.

The amendment was lost.

Senator Taylor moved as an amendment that it be until Monday at 9:30 o'clock A. M.

The amendment was carried, and the motion, as amended, prevailed.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 8, 1897. }
9:30 o'clock A. M. }

President Daniels called the Senate to order at 9:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

On motion of Senator David Miller, the Senate took a recess of fifteen minutes.

President Daniels called the Senate to order after recess.

The journal of yesterday was read in part.

Senator High moved that the portion of the record containing the amendment of Senator Houghton to House bill No. 417, except the title of the bill offered as an amendment, be expunged.

The motion was carried.

On motion of Senator Plummer, the further reading of the journal was dispensed with, and the journal approved.

Senator Wilson moved that the vote by which House bill No. 417, An act to regulate common carriers, etc., was ordered engrossed and sent to the House, be reconsidered.

The motion was carried.

Senator Wilson moved that the Committee on Engrossed Bills be requested to report the preceding House bill No. 417 immediately without engrossment.

The motion was carried.

On motion of Senator Wilson, the motion to order the bill engrossed and sent to the House immediately was indefinitely postponed, unanimous consent being given.

Senator Wilson moved that the vote by which the preceding House bill No. 417 was passed be reconsidered.

The motion was carried.

The bill was read the third time by sections.

Senator Wilson offered the following amendments to the report of the committee of the whole, all of which were adopted:

References to sections are to sections in the printed bill as amended by Senate committee.

Amend section 1 to read as follows:

SECTION 1. No railroad company or other common carrier, its agents or employes, doing business within this state shall charge for hauling agricultural products, as defined in this section, in carload lots, from one point within this state to another point within this state, at a rate exceeding \$4.25 per ton for a distance of haul of 350 miles or over; and at a rate exceeding 90 per cent. of the rate actually in effect on January 2, 1897, for any distance within this state. *Provided*, That no charge for hauling freight aforesaid in carload lots in this section mentioned, shall exceed \$4.25 per ton from any point within this state to another point within this state. "Agricultural products" mentioned herein is defined to be corn, grain of all kinds, flour, feed, mill stuffs, flax seed, hay compressed in bales, hops compressed in bales.

Amend by striking out section 2.

Amend by striking out section 3.

Amend section 4 so as to read as follows:

SEC. 4. No railroad company or other common carrier, its agents or employes, doing business within the State of Washington, shall charge for hauling in carload lots, fruit in boxes, barrels or crates, potatoes, onions and vegetables of all kinds in sacks, boxes or barrels, and eggs in boxes, barrels or cases, and butter in boxes, barrels or pails, and cheese, tallow and lard in barrels, kegs or cans, and wool in sacks, from one point within this state to another point within this state at a rate exceeding 80 per cent. of the rate charged by said railroad or carrier for hauling or carrying a like kind of freight on the second day of January, 1897, on the basis of the rate charged by the Northern Pacific Railway Company on the second day of January, 1897. The said companies and carriers shall be required to receive and transport any or all the products mentioned in this section in mixed carload lots at the highest rate applicable to any product contained in any such mixed carload.

Amend section 8 by adding the following: “*Provided*, That nothing contained in this act shall require any railroad company or common carrier to deliver any freight to a competing line to be hauled to the point of destination when the carrier receiving such freight is able to haul or cause the same to be hauled at the same rate over its own line, or line or lines connecting by traffic agreement.”

Amend section 10 by striking out all after the word “designated,” in line 17, up to and including the word “herein,” in line 25.

Amend section 11 by striking out all of line 5 after the word “construed;” strike out all of line 6, and all of line 7 up to the words “as authorizing,” and in line 9, strike out the figures 3, 4 and 5, and insert “and” between the figures 1 and 2.

Amend section 12 by adding the following words: “*Provided*, That nothing herein contained shall prevent the granting of emergency rates, and the usual classification of freights as to kind, value and quantity, and the basing of rates thereon.”

Amend section 17 by inserting in line 94, after the word “state” and before the word “and,” the following: “All the evidence and proceedings before the superior court shall be certified in the record to the supreme court, and that court shall hear and decide the cause de novo both upon the law and upon the facts.”

Add the following section to the act: “Nothing in this act shall apply to any railroad within this state which does not exceed one

hundred and fifty miles in length, or to any extension or branches of such railroads, or new railroads hereafter constructed; and the building of extensions or branches of any such railroad shall not have the effect of bringing any such railroad within the provisions of this act."

Add to the new section at end of bill: "But this shall not be construed to exempt any railroad from the provisions of this act as to any shipment consigned to any point in this state beyond the line of such short road. Any railroad, or part of a railroad, which on the first day of March, 1897, would have been subject to the provisions of this act, shall be and continue to be subject to the same, notwithstanding any change in the operation, ownership or management thereof."

At 11:10 o'clock A. M., on motion of Senator Dorr, as amended by Senator Plummer, the Senate took a recess for fifteen minutes.

President Daniels called the Senate to order after recess.

Senator Wilson moved that the report of the committee of the whole, as amended, be adopted.

The motion was carried.

Senator Dorr moved that further consideration of the bill be deferred until 2 o'clock P. M.

Senator Plummer moved, as an amendment, that it be placed on its final passage.

The amendment was carried, and the motion, as amended, prevailed.

Unanimous consent was given to take up House concurrent resolution No. 28, by Mr. Warner, relative to the introduction of a memorial to the president and congress of the United States.

The resolution was adopted by the following vote: Yeas 34, nays 0, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

Senator Dorr moved that further consideration of House bill No. 417 be deferred until the afternoon session.

The motion was lost.

The bill was then placed on its final passage, and passed by the following vote: Yeas 31, nay 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Warburton, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Houghton, Taylor, and Van Patten — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Crow and Runner entered the following protests:

Realizing that this bill will give some measure of relief to my constituents, I vote yea, protesting against the maximum rates herein prescribed.

L. C. CROW.

I vote yea on this bill, as it will afford a small measure of relief, but protest against it as not providing a reduction sufficient to make it a reasonable rate.

W. E. RUNNER.

On motion of Senator Wilson, the Committee on Engrossed Bills was requested to make a clean copy of the bill for the House.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House memorial No. 17, by Mr. Warner: A memorial relating to forest reserve proclamation of February 22, 1897; ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 315, by Mr. Ross: An act entitled "An act to repeal an act to provide for the economical management of county affairs, Statutes of 1893, approved March 15, 1893."

Also, House bill No. 540, by Judiciary Committee: An act amending section 37 of an act approved March 15, 1893, providing for the manner of commencing civil actions in superior courts, etc.

Also, House bill No. 541, by Judiciary Committee: An act to amend section 2179 of the Code of 1881, in relation to the duties of county clerk.

Also, House bill No. 542, by Judiciary Committee: An act relating to change of venue in justices courts, and repealing sections 1881 and 1938 of the Code of 1881.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 543, by Judiciary Committee: Relating to bonds by corporations in all actions.

Also, House bill No. 544, by Judiciary Committee: Amending an act relating to security of costs.

Also, House bill No. 546, by Judiciary Committee: Amending an act in relation to acquittal of criminals by reason of insanity.

Also, House bill No. 547, by Judiciary Committee: Amending an act relating to disposition of fines.

Also, House bill No. 548, by Judiciary Committee: To punish offenses against sovereignty of state.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 549, by Judiciary Committee, Relating to summary administration of estates of less than \$500 in value.

Also, House bill No. 550, by Judiciary Committee, Relating to appeals from justice courts.

Also, House bill No. 551, by Judiciary Committee, Amending an act relating to garnishments.

Also, House bill No. 552, by Judiciary Committee, Amending an act relating to sheriff's deeds.

Also, House bill No. 553, by Judiciary Committee, Amending an act relating to effect of judgment awards.

Also, House bill No. 554, by Judiciary Committee, Defining jurisdiction of offenses on tide land not in counties.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has concurred in Senate report of conference committee on Senate bill No. 76, An act to prescribe mode of payment of all obligations of debt to be paid in money, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 302, by Mr. Moore, An act relating to the leasing of mineral lands belonging to the State of Washington, and declaring an emergency.

Also, the House has passed House bill No. 248, by Mr. Scott, An act to amend an amendment to "An act providing for the organization and government of irrigation districts, and the sale of bonds arising therefrom, and declaring an emergency," the same being section 2, approved March 22, 1895, and declaring an emergency.

Also, House bill No. 307, by Mr. Koehler (by request), An act to provide for the establishment of a state road from Grand Forks, on the Wishka river, in Chehalis county, to La Push, in Clallam county, Washington.

Ordered transmitted to the Senate forthwith.

The House has passed House bill No. 267, by Mr. Wilkeson, An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons in the State of Washington, defining crimes and misdemeanors and prescribing penalties in cases of the violation thereof, and repealing chapter 153 of the Session Laws of 1891, being entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons, in the State of Washington," approved March 9, 1891, and also repealing chapter 113 of the Session Laws of 1893, being entitled "An act to amend section 8, chapter 153 of the Session Laws of 1891 of Washington, regulating the practice of pharmacy, approved March 9, 1891, and declaring an emergency," approved March 10, 1893, and declaring an emergency.

Also, House bill No. 182, by Mr. Moore, An act providing for the survey and location of a wagon road and public highway from a point at or near Lyle, Klickitat county, State of Washington, from thence westward along the north bank of the Columbia river to a point at or near Washougal, Clark county, and making an appropriation therefor.

Also, House bill No. 428, by Mr. Kincaid, An act providing for the survey and establishment of a state road, creating a commission, defining their duties and making an appropriation therefor.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The speaker of the House has signed concurrent resolution No. 27, relating to the introduction of a bill asking for an appropriation of ten thousand dollars, for the payment of expenses of this session of the legislature, and the same is herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 328, by Mr. de Mattos: An act to permit interested persons to sue upon certain bonds without assignment, and declaring an emergency.

Also, House bill No. 327, by Mr. Carr: An act providing for the payment of the fees of grand and petit jurors, and declaring an emergency.

Also, House bill No. 630, substitute for 324, by Mr. Gilkey: An act to amend an act entitled "An act directing the state treasurer to invest certain money in tide land fund in general warrants, and declaring an emergency," approved January 22, 1897.

Also, House bill No. 629, by Mr. Geraghty, substitute for House bill No. 100: An act to regulate employment bureaus and offices.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 311, by Mr. de Mattos: An act providing for the proper charge of rebates allowed on taxes, and the proper disposition of penalties and interest collected on delinquent taxes.

Also, House bill No. 427, by Mr. Barlow: An act to provide for the custody and perservation of the records and mementos of the Grand Army of the Republic.

Also, House bill No. 66, by Mr. A. S. Bush: An act providing for the survey and location of a wagon road and public highway from a point at or near Montesano, in the county of Chehalis, State of Washington, by way of North river valley, Willapa, South Bend, the Nehma river and Nasel river valleys, to a point on the Columbia river at or near Knapton, or Hungry Harbor, and making an appropriation therefor.

And the same are hereby transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House joint resolution No. 28, by Mr. Warner: Relating to asking permission be granted for the purpose of introduction in the House, of a memorial, memorializing the President of the United States and congress to cancel and revoke the forestry proclamation of the President of the United States, issued February 22, 1897.

On motion, the same was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

Unanimous consent was given to take up House memorial No. 17, by Mr. Warner, Relative to the forest reserve proclamation of President Cleveland.

The memorial was read the first time; and, on motion of Senator Wilson, the rules were suspended, the memorial read the second time by title, the rules further suspended, and the memorial read the third time.

On motion of Senator Deckebach, at 12:15 o'clock P. M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The president signed House memorial No. 8, by Mr. Hagadorn, Relative to building a lighthouse and harbor at the mouth of Quilayute river.

The president signed House concurrent resolution No. 27, by Mr. F. R. Baker, Relative to the introduction of a bill by Senator T. J. Miller.

The president signed House bill No. 67.

The president announced the following free conference committee on House bill No. 371: Senators Yeend, Range, Washburn, Miller T. J., and Deckebach.

House memorial No. 17, by Mr. Warner, relative to the forest reserve proclamation, which was under consideration at the time of the adjournment of the morning session, was taken up, placed on its final passage, and passed by the following vote: Yeas 34, nays 0, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

Unanimous consent was given for Senator Washburn to introduce Senate joint resolution No. 27, relative to the forest reserve proclamation of President Cleveland.

The resolution was adopted by the following vote: Yeas 34, nays 0, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart,

Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

Senate concurrent resolution No. 28, by Senator Keith:

Resolved by the Senate, the House concurring, That a memorial to the President and congress may be introduced, praying for a modification of the forest reserve laws.

The resolution was adopted.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House joint resolution No. 13, by Mr. Richmond, Relating to investigating committee.

Also, House bill No. 559, by Judiciary Committee, Relating to bail in civil actions.

Also, House bill No. 560, by Judiciary Committee, Amending an act relating to plea of guilty in criminal actions.

Also, House bill No. 108, by Mr. Land, An act to provide ways and means to irrigate the arid lands of this state by the issue of non-interest bearing warrants and interest bearing bonds, and providing for the appropriation and expenditure of one million five hundred thousand dollars for the purposes of irrigation, and providing for the sale of one-half of the land so irrigated.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 553, by Judiciary Committee. Amending an act relating to effect of judgment awards.

Also, House bill No. 555, by Judiciary Committee, Amending an act regarding wrecked property.

Also, House bill No. 556, by Judiciary Committee, Relating to oath of trustees in private corporations.

Also, House bill No. 557, by Judiciary Committee, Amending an act relating to contesting of elections.

Also, House bill No. 558, by Judiciary Committee, Amending an act relating to filling vacancies in board of county commissioners.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 260, An act making an appropriation for the relief of T. M. Alvord on account of failure in the title to university lands, and the same is herewith for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The speaker of the House has appointed the following named gentlemen, to wit: Messrs. de Mattos, Marshall, Rader, Mentzer and Witt, to act in conference with the committee appointed by the Senate to confer and consider House bill No. 371.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 26, by Senator Keith, For the purpose of permitting introduction of memorial to the President and congress of the United States for modification of forest reservation laws.

Also, the House has passed Senate joint resolution No. 25, by Senator Washburn, Relating to the proclamation issued by President Cleveland on February 22, 1897, etc.

And on motion, was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 485, by Mr Carr: An act relating to state road from Wenatchee, Kittitas county, to Twisp river, in the county of Okanogan.

Also, House bill No. 573, by Mr. Day (substitute for House bill No. 282): An act to amend section 3 and section 6 of an act of the legislature of the State of Washington, approved February 20, 1890, entitled "An act for the appointment of a fish commission and defining its duties, and declaring an emergency to exist."

□ And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

The House has passed House bill No. 503, by Mr. Way: Relating to assessments for local improvements.

Also, the House has passed House bill No. 223, by Mr. Likins: Relief of claimant on section 16, township 38 north, range 2, east of Willamette meridian.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider Senate bill No. 273, by the Committee on Appropriations: An act making appropriations for sundry civil expense of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899.

Senator Dorr was called into the chair to preside over the committee.

At 6:20 o'clock P. M. the committee arose and asked that it be permitted to sit again.

The following resolution was introduced by Senator Crow:

Resolved, That J. A. Sheehan be employed to assist on the journal, working from 12 o'clock, midnight, to 8 A. M.

The resolution was adopted.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 229, entitled "An act in relation to escheats," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dorr, Lewis, Washburn, Houghton, Plummer, Taylor, Wilson, and Warburton.

REPORT OF COMMITTEE ON STATE GRANTED, SCHOOL AND TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 224, entitled "An act to provide for the selection, etc., of state granted, school, tide, oyster and other lands," etc., have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

C. M. EASTERDAY.

D. E. LESH.

DAVID MILLER.

JOHN WOODING.

J. C. VAN PATTEN.

President Daniels administered the oath of office to Mr. J. A. Sheehan, assistant journal clerk.

On motion of Senator Crow, at 6:30 o'clock p. m., the Senate adjourned until to-morrow at 9 o'clock a. m.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 9, 1897. }
9 o'clock a. m.

President Daniels called the Senate to order at 9 o'clock a. m., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of the preceding day was read and approved.

The secretary read the following communication from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 6, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—Governor Rogers has this day approved Senate bill No. 5, An act relating to the duration of judgments, and repealing sections 462 and 463, volume 2, Hill's Code of Washington; also, Senate bill No. 19, An act to protect manufacturers, bottlers and dealers in ale, porters, lager beer, soda, mineral waters, and other beverages, from the loss of their casks, barrels, kegs, bottles and boxes; also, Senate bill No. 21, An act amending section 2415, volume 1, Hill's Annotated Code of Washington, in relation to an act for bond of contractors for security of laborers; also, Senate bill No. 22, An act providing for a lien for employes; also, Senate bill No. 69, An act for the relief of the widow of H. C. Ashenfelter, deceased; also, Senate bill No. 103, An act to amend sections 12 and 13 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891; also, Senate bill No. 108, An act to prevent the unauthorized interference with electric meters, wires and cables. used for measuring and conducting electric currents; also, Senate bill No. 181, An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies in the hands of the treasurer of the state; also, Senate memorial No. 10, A

memorial in relation to the survivors of the Indian war of 1855 and 1856 in the Territory (now State) of Washington; also, Senate concurrent resolution No. 17, Relating to state granted lands; also, Senate concurrent resolution No. 23, Relating to the inauguration of William McKinley, as president of the United States.

Very respectfully,

J. E. BALLAINE, Private Secretary.

The secretary read a petition from the city council of Walla Walla, praying for the enactment into law of House bill No. 391.

The petition was referred to the Committee on Municipal Corporations.

The following resolution was introduced by Senator Crow:

WHEREAS, It is of public knowledge that by means of certain proceedings a corporation known as the Northern Pacific Railway Company, created by and existing in perpetuity under a special act of the legislature of the State of Wisconsin and certain acts amendatory thereof, claims to have acquired and is exercising certain of the rights, privileges and franchises of the Northern Pacific Railroad Company, a corporation created by and existing under the laws of the United States; and

WHEREAS, Said Northern Pacific Railway Company further claims to have acquired said rights, privileges and franchises under a final decree of the circuit court of the United States for the eastern district of Wisconsin, and under a final decree of the circuit court of the United States for the district of Washington, entered in suits, to which the United States was not a party, brought to foreclose a certain mortgage made by the said Northern Pacific Railroad Company without lawful right or authority and contrary to the provisions of its charter and the joint resolutions of congress, approved March 1, 1869, and May 31, 1870, respectively; and

WHEREAS, Said Northern Pacific Railway Company claims to own, by reason of said acts and proceedings, over eight million six hundred and seventy thousand acres of land situated in this state, rightfully a part of the public domain; and

WHEREAS, Said Northern Pacific Railway Company has filed certain papers with the secretary of this state, and has thereby acquired a certificate under which it is carrying on business in this state; and

WHEREAS, Said Northern Pacific Railway Company was created by a special act of the legislature of Wisconsin, and holds its franchises in perpetuity, and is, consequently, contrary to law, transacting its business within this state on more favorable conditions than are prescribed by law for a similar corporation organized under the laws of this state; and

WHEREAS, After investigation, it may be found necessary to instruct the attorney general of this state to take the necessary action to revoke the said certificate of authority heretofore issued by the secretary of state, under which said Northern Pacific Railway Company is attempting to exercise in this state the rights, privileges and franchises claimed to have been conferred upon it in perpetuity by said special act of the State of Wisconsin:

Resolved, That the president of the Senate appoint a committee of two members of the Senate with full power and authority to institute and conduct a complete investigation as to all the matters aforesaid, and as to the present status of the Northern Pacific Railway Company and the Northern Pacific Railroad Company in this state. And for that purpose the said committee is empowered to hold sessions wherever necessary, to employ counsel, a stenographer and such other assistance as may be necessary, to send for persons and papers, issue subpoenas and exercise and enjoy all the powers, and privileges and authority of a legislative committee: and it is further

Resolved, That committee make a report of its proceedings, conclusions and recommendations at the earliest day practicable.

Senator Crow moved to adopt the resolution.

Senator McReavy moved as an amendment that it be referred to the Committee on Corporations other than Municipal.

Senator Deckebach moved as an amendment to the amendment that it be indefinitely postponed.

Senator Range moved as a substitute that it be referred to the attorney general.

The substitute was lost.

The amendment to the amendment was carried by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Baum, Deckebach, Dorr, East-erday, Hall, Harper, High, Hill, Lesh, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Range, Warburton, Washburn, Wilson, and Wooding—21.

Those voting nay were: Senators Crow, Davis, Field, Miller T. J., Reinhart, Runner, and Yeend—7.

Absent or not voting: Senators Cole, Frink, Houghton, Keith, Taylor, and Van Patten—7.

The motion, as amended, prevailed.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON MEMORIALS.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 13, Relative to appropriation for Clearwater river, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. B. FIELD, Chairman.

We concur in this report:

JOHN I. YEEND.

FRANK P. LEWIS.

On motion of Senator Washburn, the report was adopted.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 170, entitled "An act to amend section 1672 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to depositions, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Lewis, Washburn, Plummer, and Houghton.

REPORTS OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 264, entitled "An act declaring bicycles to be baggage, and providing for the carrying of the same by railroad corporations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. A. DAVIS.

DANIEL PAUL.

I do not concur. The bill is just, equitable, and should pass with an amendment to include baby carriages. E. W. TAYLOR.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to authorize and regulate primary elections of voluntary political associations; to provide for punishment of frauds therein,' approved March 21, 1895, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

J. A. DAVIS.

DANIEL PAUL.

I do not concur:

E. W. TAYLOR.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 247, entitled "An act to provide for the election of a clerk of the supreme court of the State of Washington, fixing his term of office and compensation, prescribing the duties of said office, and providing for the filling of vacancies therein," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

W. H. PLUMMER, Chairman.

E. W. TAYLOR.

J. A. DAVIS.

DANIEL PAUL.

REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 218, entitled "An act to regulate and establish reasonable rates of compensation for the carrying of freight or express matter by express companies doing business within this state, and fixing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

W. E. RUNNER.

J. C. VAN PATTEN.

C. W. DORR.

THOS. J. MILLER.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 164, entitled "An act to regulate common carriers and to create a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in charges of common carriers may be prevented and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and common carriers, and afford common carriers and other parties adequate remedies; to prescribe penalties for the violation of this act and to provide measures and rules for its enforcement; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

W. E. RUNNER.

J. C. VAN PATTEN.

F. M. BAUM.

DAVID MILLER.

We recommend that this bill be indefinitely postponed:

THOS. J. MILLER.

C. W. DORR.

Senator Dorr moved that the minority report be adopted.

Senator David Miller moved as an amendment that the bill referred to in the report be placed on general file.

The amendment was lost.

The original motion was carried by the following vote: Yeas 17, nays 15, absent or not voting 2.

Those voting yea were: Senators Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Warburton, Washburn, Wilson, and Wooding — 17.

Those voting nay were: Senators Baum, Cole, Crow, Davis, Easterday, Field, High, Hill, Keith, Miller David, Range, Reinhart, Runner, Van Patten, and Yeend — 15.

Absent or not voting: Senators Houghton and Taylor — 2.

REPORTS OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 157, entitled "An act for the relief of W. E. Boone," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

R. C. WILSON.

S. WARBURTON.

L. C. CROW.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 285, entitled "An act for the relief of H. T. Winn," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

J. A. DAVIS.

L. C. CROW.

R. C. WILSON.

S. WARBURTON.

REPORTS OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1897.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 337, entitled "An act in relation to the election of

United States senators," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

E. W. TAYLOR.

DANIEL PAUL.

Senator Wilson moved that the report be adopted.

Senator T. J. Miller moved as an amendment that the above House bill No. 337 be placed on general file.

The amendment was carried and the motion, as amended, prevailed.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 347, entitled "An act to prevent corrupt practices at elections in the State of Washington, and providing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

I concur in this report:

DANIEL PAUL.

I do not concur:

E. W. TAYLOR.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 364, entitled "An act to abolish the boards of trustees respectively of the Washington school for defective youth, the Washington state reform school, the Western Washington hospital for the insane, the Eastern Washington hospital for the insane, the Washington soldiers' home and the board of directors of the state penitentiary, as now constituted, and to create a state board of audit and control for the government, control and maintenance of said institutions, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

E. W. TAYLOR.

J. A. DAVIS.

DANIEL PAUL.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER.

OLYMPIA, WASH., March 7, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House joint resolution No. 12, have had the same under

consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments: In line 4 of the printed resolution, after the word "companies," insert the words "in many such cases, the settlers claim." In line 3 strike out the last four words, "in many such cases." In line 5, after the word "and," insert the words "the settlers further claim." In line 9, after the words "whereby the," insert the words "the settlers claim that the." In line 10 strike out the word "are" and insert the words "have been;" also, strike out the word "settlers" and insert the word "their;" also, after the word "without," insert the word "proper." In line 11, after the word "the," strike out the last two words and insert in lieu thereof the words "rights of all parties thereto."

Respectfully submitted.

We concur in this report:

The report was adopted.

L. C. CROW, Chairman.

DAVID MILLER.

W. E. RUNNER.

F. M. BAUM.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 209, entitled "An act relative to recognizances, etc., and to allow certain corporations to be accepted as surety thereon," etc., have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

All the members of the committee concurring.

REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1897.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 438, entitled "An act to regulate splash dams on the streams of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

We concur in this report:

L. C. CROW, Chairman.

W. E. RUNNER.

J. C. VAN PATTEN.

C. W. DORR.

T. J. MILLER.

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 473, entitled "An act providing for an amendment to section 6 of article 7 of the constitution of the State of Washington, authorizing a system of non-interest bearing state warrants, receivable for taxes," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

W. H. PLUMMER.

F. C. HARPER.

J. W. RANGE.

REPORT OF COMMITTEE ON HARBOR AND HARBOR LINES.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Harbor and Harbor lines, to whom was referred House bill No. 35, entitled "An act relating to boom companies, prescribing their duties and fixing their liabilities, and for other purposes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

F. G. DECKEBACH, Chairman.

We concur in this report:

V. A. PUSEY.

S. D. REINHART.

D. E. LESH.

Senator T. J. Miller moved that the above House bill No. 35 be placed on general file.

Senator Deckebach moved, as an amendment, that the report of the committee be adopted.

The amendment was carried by the following vote: Yeas 17, nays 12, absent or not voting 5.

Those voting yea were: Senators Baum, Deckebach, Dorr, Frink, Hall, Harper, High, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Warburton, Washburn, Wilson, and Wooding — 17.

Those voting nay were: Senators Cole, Crow, Davis, Easterday, Field, Hill, Miller T. J., Range, Reinhart, Runner, Van Patten, and Yeend — 12.

Absent or not voting: Senators Houghton, Keith, Lesh, Lewis, and Taylor — 5.

The motion as amended prevailed.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 220, entitled "An act defining the crime of abduction, prescribing the penalty therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

All the members of said committee concurring.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your committee on free conference, to whom was referred House bill No. 371, entitled "An act to fix the fees to be collected by the secretary of state, in relation to corporations," have had the same under consideration, and beg leave to submit the following substitute: An act fixing the fees to be paid to the secretary of state by corporations doing business in this state, and declaring an emergency.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report:

T. J. MILLER.

R. C. WASHBURN.

F. G. DECKEBACH.

J. W. RANGE.

Senator Yeend moved that the report be adopted.

The motion was carried by the following vote: Yeas 17, nays 16, absent or not voting 1.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Harper, Hill, McReavy, Miller David, Miller T. J., Paul, Range, Van Patten, Washburn, and Yeend — 17.

Those voting nay were: Senators Baum, Frink, Hall, High, Houghton, Keith, Lesh, Lewis, Megler, Plummer, Pusey, Reinhart, Runner, Warburton, Wilson, and Wooding — 16.

Absent or not voting: Senator Taylor.

The substitute was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and placed on general file.

HOUSE BILLS.

House bill No. 75, by Mr. C. P. Bush: An act amending an act entitled "An act accepting the terms of the act of congress ap-

proved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency," providing for an irrigation commissioner.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 162, by Mr. A. S. Bush: An act to secure to the public the continued use of natural oyster beds.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 321, by Mr. Pierson: An act providing for the distribution of the public documents of the State of Washington.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Library.

House bill No. 413, by Mr. Kittinger: An act providing for the construction, maintenance and renewal of bulkheads or retaining walls upon or along streets in incorporated cities and towns, and providing for the assessment and collection of the cost thereof upon local districts benefited thereby.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 414, by Mr. Kittinger: An act providing for the assessment and collection of the cost of improving street intersections forming a part of any local improvement in any incorporated city or town, upon the property included in the district established for the payment of the cost of such local improvement, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 387, by Mr. Irvin: An act to amend section 1266 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the removal of inmates of hospitals for the insane by friends and relatives, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Charitable Institutions.

House bill No. 459, by Mr. Phelps: An act providing for a state wagon road, beginning at a point on the Columbia river opposite the town of Marcus, Stevens county; thence following the state road as near as practicable as at present laid out to a point on the east bank of the Methow river opposite the mouth of the Twisp river; thence over and across the summit of the Cascade mountains on the line as already laid out and established to a point on the west bank of the Skagit river, and connecting with the present county road at or near Marble Mount, in Skagit county, and making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House bill No. 412, by Mr. Kittinger: An act authorizing boards of county commissioners to expend a part of any road or bridge tax upon main highways within the limits of incorporated cities and towns in their respective counties.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 307, by Mr. Koehler (by request): An act to provide for the establishment of a state road from Grand Forks, on the Wishka river, in Chehalis county, to La Push, in Clallam county, Washington.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House bill No. 267, by Mr. Wilkeson: An act relating to the taking of trout and defining the close season and protecting food fishes and regulating the implanting thereof, and repealing chapter 123 of the Session Laws of 1895 and all laws in conflict herewith.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

House bill No. 182, by Mr. Moore: An act providing for the

survey and location of a wagon road and public highway from a point at or near Lyle, Klickitat county, State of Washington, from thence westward along the north bank of the Columbia river to a point at or near Washougal, Clarke county, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House bill No. 428, by Mr. Kincaid: An act providing for the survey and establishment of a state road, creating a commission, defining their duties and making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House bill No. 302, by Mr. Moore: An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 248, by Mr. Scott: An act to amend an amendment to "An act providing for the organization and government of irrigation districts, and the sale of bonds arising therefrom, and declaring an emergency," the same being section 2, approved March 22, 1895.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

House bill No. 315, by Mr. Ross: An act entitled "An act to repeal an act to provide for the economical management of county affairs, Statutes of 1893, approved March 15, 1893."

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 311, by Mr. de Mattos: An act providing for the proper charge of rebates allowed on taxes, and the proper disposition of penalties and interest collected on delinquent taxes, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 427, by Mr. Barlow: An act to provide for the custody and preservation of the records and mementos of the Grand Army of the Republic.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 327, by Mr. Carr: An act providing for the payment of the fees of grand and petit jurors, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 328, by Mr. de Mattos: An act to permit interested persons to sue upon certain bonds without assignment, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 629, by Mr. Geraghty, substitute for House bill No. 100: An act to regulate employment bureaus and offices.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 630, substitute for House bill No. 324, by Mr. Gilkey: An act to amend an act entitled "An act directing the state treasurer to invest certain money in the tide land fund in general warrants, and declaring an emergency," approved January 22, 1897.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 66, by Mr. A. S. Bush: An act providing for the survey and location of a wagon road and public highway from a point at or near Montesano, in the county of Chehalis, State of Washington, by way of North river valley, Willapa, South Bend,

the Nehma river and Nasel river valleys, to a point on the Columbia river at or near Knapton, or Hungry Harbor, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House bill No. 540, by the Committee on Judiciary: An act amending section 37 of an act approved March 15, 1893, entitled "An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial."

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 541, by the Committee on Judiciary: An act to amend section 2179 of the Code of 1881, in relation to the duties of county clerk.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 542, by the Committee on Judiciary: An act relating to changes of venue in justice's courts, and repealing sections 1881 and 1938 of the Code of 1881.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 543, by the Committee on Judiciary: An act relating to the giving of bonds by municipal corporations in all actions and proceedings.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 544, by the Committee on Judiciary: An act to amend section 527 of the Code of 1881, in relation to security for costs.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 546, by the Committee on Judiciary: An act to amend section 1323 of the Code of Procedure in criminal actions,

prepared by W. Lair Hill, in relation to defendants acquitted by reason of insanity.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 547, by the Committee on Judiciary: An act amending section 1113 of the Code of 1881, relating to the disposition of fines.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 548, by the Committee on Judiciary: An act to define and punish offenses against the sovereignty of the state.

The bill was read the first time; and, on motion of Senator Range, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 549, by the Committee on Judiciary: An act relating to the summary administration of estates of decedents of a value less than five hundred dollars.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 550, by the Committee on Judiciary: An act to amend section 4 of chapter 29 of the Session Laws of 1891, relating to appeals from justices' courts.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 554, by the Committee on Judiciary: An act to define the jurisdiction of criminal offenses committed on tide waters within the state and not within the boundaries of any county.

The bill was read the first time; and, on motion of Senator Easterday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 551, by the Committee on Judiciary: An act to amend section 1 of an act entitled "An act in relation to attachments and garnishments," approved February 3, 1886, relating to attachments.

The bill was read the first time; and the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 552, by the Committee on Judiciary: An act to amend section 379 of the Code of 1881, relating to sheriffs' deeds.

The bill was read the first time; and the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 555, by the Committee on Judiciary: An act to amend section 2827 of the Code of Washington of 1881, relating to the prosecution of offenses regarding wrecked property.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 553, by the Committee on Judiciary: An act to amend section 274 of the Code of 1881, in relation to the force and effect of judgments in awards.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 556, by the Committee on Judiciary: An act providing the form of oath of trustees of private corporations.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 557, by the Judiciary Committee: An act amending section 3105 of the Code of Washington of 1881, relating to the contesting of elections.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 558, by the Committee on Judiciary: An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relative to filling vacancies in board of county commissioners,' approved November 23, 1883, the same being section 274 of volume 1 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency."

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 560, by the Committee on Judiciary: An act to

amend section 1056 of the Code of 1881, relating to plea of guilty in criminal actions.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 559, by the Committee on Judiciary: An act relating to arrest and bail in civil actions and proceedings, and abol-ishing the proceeding of ne exeat.

The bill was read the first time; and, on motion of Senator East-erday, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 108, by Mr. Land: An act to provide ways and means to irrigate the arid lands of this state by the issue of non-interest bearing warrants and interest bearing bonds, and providing for the appropriation and expenditure of one million five hundred thousand dollars for the purposes of irrigation, and providing for the sale of the land so irrigated.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House joint resolution No. 13, by Mr. Richmond: Relative to the appointment of a committee to sit during the recess of the legislature for the purpose of investigating all charges of malfeas-ance, corruption or inhumanity in the management of state institu-tions.

The resolution was read the first time; and, on motion of Senator Dorr, the rules were suspended, the resolution read the second time by title, and referred to the Committee on Public Morals.

House bill No. 223, by Mr. Likins (by request): An act for re-lief of claimants on section 16, township 38 north, range 2 east of Willamette meridian.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 573, by Mr. Day: An act to amend section 3 and section 6 of an act of the legislature of the State of Washington, approved February 20, 1890, entitled "An act for the appointment

of a fish commission and defining its duties, and declaring an emergency to exist.”

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

House bill No. 503, by Mr. Way: An act in relation to assessments for local improvements, providing for the enforcement thereof, and the refunding of warrants issued therefor.

The bill was read the first time; and, on motion of Senator Lewis, the rules were suspended, the bill read the second time by title, and placed on general file.

- House bill No. 485, by Mr. Carr: An act to provide for the establishment and maintenance of a state road along the bank of the Columbia river from the town of Wenatchee, in Kittitas county; thence northerly on the west bank of said Columbia river via the bridge of said Wenatchee river (the same formerly being a ferry) to the mouth of the Methow river; thence along the west bank of the Methow river to the mouth of the Twisp river, in the county of Okanogan.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

Senator Deckebach moved that the Senate refuse to recede from its amendments to House bill No. 417, by the Railroad Committee: An act to regulate common carriers, etc.

The motion was carried.

Senator Deckebach moved that a conference committee be appointed to confer with a like committee from the House in regard to the preceding House bill No. 417.

The motion was carried, and the president appointed Senators Deckebach, Crow, David Miller, Dorr and Runner as such committee.

Unanimous consent was given to take up House concurrent resolution No. 23, by the Committee on State Buildings, Public Grounds and Libraries, relative to the procurement of copies of the Session Laws by exchange.

The resolution was adopted by the following vote: Yeas 27, nays 2, absent or not voting 5.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach,

Dorr, Easterday, Field, Frink, Hall, Harper, High, Keith, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Pusey, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, Wilson, and Yeend — 27.

Those voting nay were: Senators Hill and Miller T. J. — 2.

Absent or not voting: Senators Baum, Houghton, Lesh, Taylor, and Wooding — 5.

Senate memorial No. 12, by Senator Keith, relative to the forest reserve.

The memorial was read the first time; and, on motion of Senator Keith, the rules were suspended, the memorial read the second time by title, the rules further suspended, the memorial read the third time, and placed on its final passage.

It was then passed by the following vote: Yeas 34, nays 0, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

On motion of Senator Keith, the rules were suspended and the memorial ordered transmitted to the House immediately.

The following resolution was introduced by Senator Wilson:

WHEREAS, Senate bill No. 148, which has passed both Houses, provided that notices of sheriff's sales shall be published in the official newspaper of the county; and

WHEREAS, A monopoly of such printing is thereby created in favor of one newspaper in each county; and

WHEREAS, No restriction is made by law as to the price that may be charged for such printing; and

WHEREAS, Further legislation is necessary in the premises: now, be it
Resolved by the Senate, the House concurring, That a bill may be introduced in the Senate by Senator Wilson, entitled "An act relating to the publication of notices of sales of property on execution or order of sale."

The resolution was adopted by the following vote: Yeas 22, nays 2, absent or not voting 10.

Those voting yea were: Senators Baum, Deckebach, Dorr, Easterday, Frink, Hall, Hill, Keith, Lesh, Lewis, McReavy, Megler,

Miller David, Miller T. J., Paul, Pusey, Runner, Van Patten, Warburton, Washburn, Wilson, and Wooding — 22.

Those voting nay were: Senators Range and Reinhart — 2.

Absent or not voting: Senators Cole, Crow, Davis, Field, Harper, High, Houghton, Plummer, Taylor, and Yeend — 10.

The conference committee on Senate bill No. 76 submitted the following report:

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your committee appointed on the part of the Senate to confer with a like committee from the House, respectfully recommend that the Senate concur in the House amendments to Senate bill No. 76.

Respectfully submitted.

J. A. DAVIS,
S. D. REINHART,
JOHN McREAVY,
Committee.

The report was adopted.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has adopted the report of the free conference committee on House bill No. 371, Relating to certain fees collected by the secretary of state; and the bill, as amended, is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has refused to concur in the Senate's amendments to House bill No. 417, by the Railroad Committee, a substitute bill for House bill No. 294, Fixing maximum rate of freight charges in this state; and the said bill No. 417 is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 281, entitled "An act amending an act entitled 'An act exempting the proceeds of life insurance from liability for debt, and declaring an emergency,' approved March 20, 1895;" and the same is herewith for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 281.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 263, by Committee on Revenue and Taxation, An act relating to the assessment and collection of taxes in the State of Washington, as amended; and the amendments are herewith attached. On motion, the bill was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

On motion of Senator Dorr, the Senate resolved itself into the committee of the whole to consider Senate bill No. 273, by the Committee on Appropriations: An act appropriating money for sundry civil expense of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899, and all other appropriation bills referred to that committee.

Senator Dorr was called into the chair to preside over the committee.

At 12 o'clock M. the committee arose and asked that it be permitted to sit again.

On motion of Senator Deckebach, at 12 o'clock M. the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M. pursuant to adjournment.

The secretary called the roll, all members being present.

Unanimous consent was given to take up Senate bill No. 263, by the joint committees of the House and Senate on Public Revenue and Taxation: An act to provide for the assessment and collection of taxes in the State of Washington, which had been amended in the House.

Senator Taylor moved that the Senate concur in the following amendments:

Section 120: The treasurer shall, upon the issuance of a certificate of delinquency, collect fifty cents for making a deed, including all services rendered, including sales and posting notices, three dollars. The clerk of the court shall, upon filing application for judgment, and for all services rendered to and including judg-

ments, two dollars. From each contestant at time of filing such contest, five dollars.

Section 104: *Provided*, The treasurer shall, upon the making of such order and judgment of the court to execute such deed, first offer the property condemned for sale for the taxes, interest, charges and costs. All sales shall be made on Saturday, between the hours of 9 o'clock in the morning and 4 o'clock in the afternoon, after first giving notice of the time and place where such sale is to take place, for ten days successively by posting notice in three public places in such county, such notice shall contain a statement that by order of the court duly made the property described was on — day of — adjudged forfeited for non-payment of taxes for the year levied against such property, with interest and costs (stating the same), and that such treasurer will offer the same for sale to the highest and best bidder therefor. At such sale the holder of the certificate shall be deemed a bidder to the amount of his claim, and upon such sale the treasurer shall execute the deed as in the order of the court decreed. The treasurer may include in one notice any number of separate tracts or lots for the same year's taxes.

Section 55, line 6, strike "July" and insert "August."

Section 59, line 35, strike "July" and insert "August."

Section 60, line 6, strike "August" and insert "September."

Section 61, line 6, strike "Monday" and insert "Tuesday."

Section 61, line 6, strike "August" and insert "September."

Section 63, line 9, strike "first" and insert "last."

Section 69, line 8, insert "the" after "when."

Section 97, line 1, strike "August" and insert "December."

Section 103, line 2, strike "of issuance of certificates."

Section 114, line 9, strike "entitled" and insert "the absolute title."

Section 63, lines 24, 27 and 28, strike "January" and insert "February."

Section 64, line 5, strike "ten" and insert "five."

Section 4, line 2, after "treasury notes," insert "United States notes."

Strike out section 120.

Section 95: Strike out the first six lines, and insert the following: "Any day after the taxes charged against real property are delinquent the treasurer shall have the right, and it shall be his duty,

upon demand and payment of the taxes and interest, to make out and issue certificates of delinquency against such delinquent property, and such certificates shall be numbered and have a stub, which shall be a summary of the certificate, and shall contain a statement."

The motion was carried by the following vote: Yeas 28, nays 4, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 28.

Those voting nay were: Senators Deckebach, Lesh, McReavy, and Van Patten — 4.

Absent or not voting: Senators Frink and Pusey — 2.

The Senate refused to concur in all other House amendments to said Senate bill No. 263.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 9, entitled "An act providing for the sale of real property to foreclose liens created for local improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency," have had the same under consideration, and respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above Senate bill No. 9.

SENATE CHAMBER,

OLYMPIA, WASH., March 5, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 148, entitled "An act relating to the sale of property under execution and decrees, and the confirmation of sheriff's sales and repealing sections 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the redemption of real estate sold on decree of foreclosure and on

execution," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above Senate bill No. 148.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate joint resolution No. 25, relating to forest reserve proclamation, have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above Senate joint resolution No. 25.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has refused to recede from House amendments to Senate bill No. 263, to wit: Amendment to amend title; amendment to section 98; striking out of section 42; amendment to section 5, subdivision 7; amendment of section 30, and striking out of section 119, and asks that a committee of conference be appointed to confer on the differences existing between the two Houses. And the same is herewith transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The speaker of the House has signed House memorial No. 17: Relating to forest reserve proclamation of February 22, 1897, and the same is herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House memorial No. 17.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has appointed the following committee: Messrs. McAtee, Phelps and Kincaid to confer with the Senate committee regarding the differences between the two Houses on House bill No. 234.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 27, by Senator Wilson, Permitting the introduction in the Senate of a bill relating to the publication of sales of property on execution or order of sale; and on motion, the same was ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House appointed the following named gentlemen, to wit: Messrs. Witt, F. R. Baker, Rader, Roberts and Canutt, a committee to confer with the Senate committee in regard to the differences of the two houses on House bill No. 417.

S. P. CARUSI, Chief Clerk.

Senate concurrent resolution No. 28 was introduced by Senator Plummer, as follows:

Be it resolved by the Senate, the House concurring, That Senator Plummer be permitted to introduce the bill hereto attached, being An act to amend section 1 of an act entitled "An act establishing a board of pardons and defining its duties, and declaring an emergency."

The resolution was adopted by the following vote: Yeas 28, nays 1, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Washburn, Wilson, and Wooding — 28.

Senator Van Patten voted nay.

Absent or not voting: Senators Harper, Lesh, Lewis, Warburton, and Yeend — 5.

On motion of Senator Plummer, the rules were suspended, and the resolution ordered transmitted to the House immediately.

Pursuant to notice given on Saturday, March 6, 1897, Senator Taylor moved to reconsider the vote by which Senate bill No. 15, An act abolishing the office of municipal judge, failed to pass.

The president decided the motion out of order.

Senators Easterday, Keith and Taylor appealed from the decision of the chair.

The Senate refused to sustain the decision of the chair by the following vote: Yeas 13, nays 19, absent or not voting 2.

Those voting yea were: Senators Davis, Harper, Hill, Lewis,

McReavy, Paul, Pusey, Range, Rinehart, Runner, Van Patten, Washburn, and Wooding—13.

Those voting nay were: Senators Cole, Crow, Dorr, Easterday, Field, Frink, Hall, High, Houghton, Keith, Lesh, Megler, Miller David, Miller T. J., Plummer, Taylor, Warburton, Wilson, and Yeend—19.

Absent or not voting: Senators Baum and Deckebach—2.

Senator McReavy moved that the motion be indefinitely postponed.

The motion was lost by the following vote: Yeas 11, nays 20, absent or not voting 3.

Those voting yea were: Senators Deckebach, Harper, Lewis, McReavy, Paul, Pusey, Range, Runner, Van Patten, Washburn, and Wooding—11.

Those voting nay were: Senators Cole, Crow, Dorr, Easterday, Field, Frink, Hall, High, Houghton, Keith, Lesh, Megler, Miller David, Miller T. J., Plummer, Reinhart, Taylor, Warburton, Wilson, and Yeend—20.

Absent or not voting: Senators Baum, Davis, and Hill—3.

The original motion was carried.

Senator Easterday offered the following amendment to section 1: Add “*Provided, however,* That the municipal courts, created by the act hereby repealed, shall continue to exist, as by said act created, until January 1, 1898, and the officers thereof shall, until that time, continue to perform the duties of their offices and receive the salaries, as in said act specified.”

Senator McReavy offered the following substitute: Add to section 1 the words “*Provided,* That this act shall not take effect nor be in force until the expiration of the terms of the present judges of such municipal courts.”

The substitute was lost, and the original amendment prevailed.

Senator Lewis moved that further consideration of the bill be deferred until to-morrow.

The motion was lost.

Senator Easterday moved that the rules be suspended, the bill considered engrossed, and placed on its final passage.

Senator Lewis moved, as an amendment, that it be referred to the Committee on Engrossed Bills.

The amendment was lost, and the original motion prevailed.

The bill was placed on its final passage, and passed by the following vote: Yeas 21, nays 9, absent or not voting 4.

Those voting yea were: Senators Cole, Davis, Dorr, Easterday, Field, Frink, High, Hill, Houghton, Keith, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Taylor, Van Patten, Warburton, Wilson, and Yeend — 21.

Those voting nay were: Senators Deckebach, Harper, McReavy, Pusey, Range, Reinhart, Runner, Washburn, and Wooding — 9.

Absent or not voting: Senators Baum, Crow, Hall, and Lesh — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Lewis gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill No. 15 was passed.

Senator Taylor moved that a conference committee of five be appointed to confer with a like committee from the House in regard to the differences between the two houses arising from the refusal of the Senate to concur in the House amendments to Senate bill No. 263, "An act providing for the assessment and collection of taxes in the State of Washington."

The motion was carried, and the president appointed Senators Taylor, Dorr, Plummer, Runner and Range as such committee.

On motion of Senator Dorr, the Senate again resolved itself into the committee of the whole to consider Senate bill No. 273, "An act appropriating money for the sundry, civil expense of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899."

The committee of the whole arose to receive the following messages from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

(OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 9: An act providing for the sale of real property, etc.

Also, Senate bill No. 148: An act relating to the sale of property under execution, etc.

Also, Senate joint resolution No. 25: Relating to forest reserve proclamation.

Also, Senate concurrent resolution No. 25: Extending congratulations to Wm. McKinley, president of the United States.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has passed House bill No. 501, by Mr. Conine: Providing for the establishment and construction of ditches for drainage purposes.

Also, House bill No. 380, by Mr. Thacker: Relating to private ditches and drains.

Also, House bill No. 310, by Mr. Gilkey: Relating to fish hatchery on the Chehalis river.

Also, House bill No. 534, by Mr. Barlow: Authorizing the improvement of boulevards.

Also, House bill No. 275, by Mr. Mohundro: Relative to compelling railroad companies to put in transfer switches.

On motion, the rules were suspended and the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 287, by Senator T. J. Miller, An act for the purpose of appropriating the sum of ten thousand dollars for the payment of the salaries of members and employes, and other expenses of this session of the legislature.

Also, the House has passed Senate concurrent resolution No. 28, permitting introduction of bill in Senate by Senator Plummer.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

Senate bill No. 289, by Senator Plummer: An act to amend section 1 of an act entitled "An act establishing a board of pardons, defining its duties, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the sifting committee.

The Senate again resolved itself into the committee of the whole to consider the bills which it had under consideration at the time it arose.

Senator Dorr was called into the chair to preside over the committee.

At 5:20 o'clock P. M. the committee arose and asked that it be permitted to sit again.

President Daniels signed House bill No. 260, by Mr. Merrifield:

An act making an appropriation for the relief of T. M. Alvord, on account of failure in title to university lands.

On motion of Senator Plummer, at 5:30 o'clock p. m. the Senate adjourned until 7:30 o'clock p. m.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 o'clock p. m., pursuant to adjournment.

The secretary called the roll; all members being present.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 227, entitled "An act to protect salmon and other food fishes, and amending section 9 of an act approved February 11, 1890," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOHN MCREAVY.

J. A. DAVIS.

J. G. MEGLER.

The above House bill No. 227 was placed on general file.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 418, being a substitute for House bill No. 33, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as hereinafter set forth, and that, as so amended, said bill do pass.

Amendment No. 1: Strike out sections 1 to 17, inclusive, of the printed bill.

Amendment No. 2: Strike out section 19 of the printed bill, and insert in lieu thereof the following:

SEC. 19. Every insurance company, corporation or association, doing business in the State of Washington, shall cause to be published once each year during the month of March or of April, in two daily papers of the largest general circulation, to be designated by the insurance commissioner, one in Western Washington and one in Eastern Washington, a full synopsis of its annual statement, as prepared by the insurance commissioner.

Amendment No. 3: Strike out sections 20 to 24, inclusive, of the printed bill.

Amendment No. 4: Strike out section 28 of the printed bill, and insert in lieu thereof the following:

SEC. 28. Section 29 of an act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency, approved March 19, 1895, is hereby amended to read as follows: **Sec. 29.** Whenever any policy of insurance shall be hereafter written, or renewed, insuring real property or any building or structure erected thereon or connected therewith, and the property insured shall be wholly destroyed without criminal fault on the part of the insurer or his assigns, the amount of insurance written in such policy shall be taken conclusively to be the true value of the property when insured, and the true amount of the loss and measure of damages when destroyed. In case there is a partial destruction of the property insured, no greater amount shall be collected than the injury sustained.

Amendment No. 5: In lines 3 and 4 of section 31 of the printed bill, strike out the following words: "or shall make application for the removal of any action brought against it in the courts of this state to the United States courts."

Amendment No. 6: Renumber the sections of the bill as follows: Make section 18 section 1, section 19 section 2, section 25 section 3, section 26 section 4, section 27 section 5, section 28 section 6, section 29 section 7, section 30 section 8, section 31 section 9.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Warburton, Washburn, Wilson, and Plummer.

The above House bill No. 418 was placed on general file.

REPORT OF COMMITTEE ON STATE GRANTED, SCHOOL AND TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 75, entitled "An act accepting the terms of the act of congress, approved August 18, 1894, providing for the reclamation of arid lands," etc., have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

L. C. CROW, Chairman.

We concur in this report:

C. M. EASTERDAY.

D. E. LESH.

DAVID MILLER.

J. C. VAN PATTEN.

The above House bill, No. 75, was placed on general file.

REPORTS OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 342, entitled "An act providing for the regulation of flouring mills in relation to the maximum rates of charges for grinding grain, and providing a penalty for the violation of this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

DAVID MILLER.

J. C. VAN PATTEN.

JOSEPH HILL.

The above House bill, No. 342, was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 309, entitled "An act for the protection of persons storing grain in warehouses, and providing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

JOSEPH HILL.

J. C. VAN PATTEN.

DAVID MILLER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill 222, entitled "An act to destroy the squirrel pest, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

J. C. VAN PATTEN.

JOSEPH HILL.

DAVID MILLER.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill 165, entitled "An act to amend section 42 of an act entitled 'An act to provide for state grain weighing and grading, and creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000,' approved March 19, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

AUGUSTUS HIGH.

DAVID MILLER.

J. C. VAN PATTEN.

JOSEPH HILL.

The report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 402, entitled "An act to promote and protect the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture, to repeal certain laws in conflict therewith, to appropriate money therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

DAVID MILLER.

JOSEPH HILL.

J. C. VAN PATTEN.

AUGUSTUS HIGH.

REPORTS OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 56, entitled "An act to amend section 13, chapter 162 of the Session Laws of the State of Washington for the year 1895, pertaining to the time of electing road supervisors, and repealing all acts and parts of acts in conflict therewith," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report:

FRANK P. LEWIS.

J. G. MEGLER.

The report was adopted.

REPORT OF COMMITTEE ON STATE LIBRARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred House bill No. 321, entitled "An act providing for the distribution of the public documents of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

R. C. WILSON, Chairman.

We concur in this report:

C. M. EASTERDAY.

J. W. RANGE.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 287, entitled "An act appropriating the sum of ten thousand dollars or so much thereof as is necessary for the payment of the salaries of members and employes and other expenses of this session of the legislature," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1897.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 283, entitled "An act to provide for the establishment of a state road, extending from the city of New Whatcom to the head of navigable water on the Cowlitz river, and providing an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report:

FRANK P. LEWIS.

J. G. MEGLER.

The clerk of the House read the following message:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1897.

MR. PRESIDENT:

The House has appointed the following named gentlemen, to wit: Messrs. Hargrave, Kittinger, C. Smith, and Freeman, a committee to con-

fer with the committee appointed by the Senate in re the differences existing between the two Houses concerning Senate bill No. 263.

S. P. CARUSI, Chief Clerk.

HOUSE BILLS.

House bill No. 275, by Mr. Mohundro: An act to compel railroads, companies or corporations operating railroads in this state to put in transfer switches.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 534, by Mr. Barlow: An act authorizing the acquiring, receiving, condemnation, laying out, grading and improvement of boulevards, or composite highways and walks, cycle paths and parks in connection therewith, by cities of the first class, and by counties where the said boulevard or highway and the walks, cycle paths and parks extend beyond the limits of such cities of the first class; and to provide for levying upon the property benefited thereby, and collecting special assessments to pay therefor, and for the issuance of bonds, payable in ten annual installments with interest, to provide means for carrying out said work.

The bill was read the first time; and the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 310, by Mr. Gilkey: An act to establish and maintain a fish hatchery on the Chehalis river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Dorr, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

House bill No. 380, by Mr. Thacker: And act to provide for laying out and establishing private ditches and drains.

The bill was read the first time; and the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 501, by Mr. Conine: An act providing for the establishment and construction of ditches for drainage purposes.

The bill was read the first time; and, the rules were suspended, the bill read the second time by title, and placed on general file.

On motion of Senator High, the Senate resolved itself into the committee of the whole to consider the bills which it had under

consideration when it arose previous to the adjournment of the afternoon session.

Senator Dorr was call into the chair to preside over the committee.

The committee arose and presented the following reports:

REPORTS OF COMMITTEE OF THE WHOLE.

The committee reports Senate bill No. 273 back to the Senate with the following amendments:

Strike out brackets from title in the printed bill.

Strike out line 102 of the printed bill from the schedule of appropriation for commissioner of public lands and insert the same after line 16 of the printed bill in the appropriation for governor's office.

Strike out schedule of appropriations for secretary of state's office, in printed bill, and insert in lieu thereof the following:

FOR SECRETARY OF STATE'S OFFICE.

Salary of secretary of state, at \$2,500 per year.....	\$5,000 00
Salary of chief clerk, \$1,200 per year.....	2,400 00
Salary of insurance clerk, \$1,200 per year.....	2,400 00
Salary of recording clerk, \$900 per year.....	1,800 00
Salary of recording clerk, \$900 per year.....	1,800 00
Salary of bookkeeper and stenographer, \$720 per year.....	1,440 00
For bureau of agriculture and immigration salary and expenses as provided for in chapter 85, Session Laws of 1895.....	3,000 00
For extra clerk hire.....	750 00
For transcribing old indexes of records.....	500 00
(Provided, That the appropriation herein shall be taken from the unexpended balance in the distribution of Session Laws fund of 1895 (\$137.15), and the unexpended balance in the traveling expense fund of insurance department (\$362.65) of appropriation of 1895.)	
For traveling and incidental expenses, insurance department, \$200.....	400 00
For postage and incidental.....	1,500 00
Distribution of session laws and journals.....	500 00
For indexing session laws.....	200 00
For furniture, secretary of state's office.....	500 00
For indexing House journal.....	200 00
For indexing Senate journal.....	200 00
For publishing constitutional amendments.....	1,500 00
Salary of messenger, \$360 per year.....	720 00
Total for secretary of state's office.....	\$24,780 00

Strike letter "s" from the word "bookkeepers," in line 41 of the printed bill.

Strike line 63 of the printed bill, and insert in lieu thereof "for clerk hire, \$500 per year, \$1,000."

Strike "\$300" from line 64 of the printed bill, and insert in lieu thereof "\$500."

Strike "\$500" from line 66 of the printed bill, and insert in lieu thereof "\$1,000."

Strike "\$2,000" from line 67 of the printed bill, and insert in lieu thereof "\$1,000."

In line 72 of printed bill, strike "\$4,000" and insert "\$4,195."

Insert the word "and" between the words "salary" and "expenses" in line 75 of the printed bill.

After line 78 of the printed bill, insert "For expenses of judges pro tem., \$800."

Strike the word "for" where it appears between the words "expenses" and "library," line 112 of the printed bill, and insert in lieu thereof the word "from."

Insert after line 134 of printed bill the following: "For the erection of a three-story brick building, and furnishing the same, at the Eastern Washington hospital for the insane, the sum of \$55,000. The said appropriation to be available on the 12th day of April, eighteen hundred ninety-eight: *Provided*, That the said appropriation shall be repaid to the state at the earliest possible moment through the sale of any of the lands granted to the state for state charitable, educational, penal and reformatory institutions."

Insert after line 143 of the printed bill, in appropriation for state penitentiary, the following: "For improvement of cell wing and for kitchen and dining room purposes, \$500."

Insert after line 156 of the printed bill, in appropriation for Ellensburg normal school, the following:

Ceiling, plastering and cementing basement.....	\$1,000 00
Pedagogical library.....	1,000 00
Apparatus for gymnasium.....	250 00
Cementing and slating black boards.....	200 00
Chairs for two recitation rooms.....	225 00
Electric program apparatus.....	150 00

Strike "60,000" from line 164 of the printed bill and insert in lieu thereof "100,000."

Strike lines 169, 170 and 171 of the printed bill, and insert in lieu thereof the following:

Maintenance for two years.....	\$28,000 00
Reimbursement of Morrill fund.....	1,500 00
Sewerage system.....	1,000 00
Library.....	1,000 00
Farm machinery and live stock.....	1,000 00
Forge in foundry.....	1,000 00

Total for agricultural college..... \$33,500 00

Insert after line 176 of the printed bill, in appropriation for state printing, the following:

For furnishing legislature and state offices with desk supplies.....	\$5,000 00
For revolving fund.....	10,000 00

Insert in the blank in line 177 of printed bill, "\$12,800."

Insert in blank line 179 of the printed bill, "\$7,000."

Insert in blank line 181 of the printed bill, "\$3,600."

Strike out line 182 and insert "for clerk hire, \$2,000."

Insert in line 184 of the printed bill, "\$25,000.00."

Amend bill by adding the following: "For the payment of the judgment of Daniel Bagley against the state, \$908.40."

Insert after line 111 of printed bill: "For salary of assistant librarian, at \$800.00 per year, \$1,600.00."

Amend bill by adding: "For maintenance of the national guard from April 1, 1897, to March 31, 1899, at \$12,000.00 per annum, \$24,000.00: *Provided*, That no pay shall be allowed for stated parades, and not more than \$300.00 per annum be allowed to companies for armory rent and incidental expenses, to be paid from the military fund.

Amend bill by adding the following: "For Washington state fair, \$6,000.00."

Amend bill by inserting after line 147 of the printed bill, the following:

For electric light plant and dynamo.....	\$,1800 00
For steam laundry	1,500 00

Amend appropriation for state library by adding after line 112: "For purchase of maps and books, \$2,000.00, to be paid from library fund."

Amend bill by adding after line 108 of the printed bill:

For the construction of a fishway in the Snohomish river.....	\$500 00
For the construction of a fishway in the Des Chutes river.....	500 00
For the construction of a fishway in Spokane river, if considered feasible by the fish commissioners.....	500 00

Committee of the whole recommend that bill do pass as amended.

On motion of Senator Dorr, the report of the committee of the whole was adopted.

The bill was read the third time by sections.

Senator Dorr moved that when it is engrossed, all items appropriated out of any funds other than the general fund, be segregated and placed under the proper headings.

The motion was carried.

The bill was then placed on its final passage, and passed by the following vote: Yeas 24, nays 7, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Frink, Hall, Harper, High, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Warburton, Washburn, and Wilson — 24.

Those voting nay were: Senators Field, Hill, Lewis, Miller David, Van Patten, Wooding, and Yeend — 7.

Absent or not voting: Senators Deckebach, Reinhart, and Taylor — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Committee of the whole on Senate bill No. 248, recommends that it be amended by adding section 3, which reads as follows:

SEC. 3. That the state capitol commission shall see that all legal claims for labor and materials furnished said Moffatt Brothers, in and about

said capitol foundation, are paid out of the moneys appropriated hereby before any warrants are issued to Moffatt Brothers.

Committee of the whole on House bill No. 182, recommends that it be amended in line 4 of section 9 of the printed bill, by inserting "thereof" after the word "much," in said line.

Committee of the whole on Senate bill No. 242, recommends that it be amended by adding the following: "And the state auditor be authorized to draw his warrant for the amount, and the treasurer is hereby authorized to pay the same.

Committee recommend that the bill do pass as amended.

Committee of the whole on House bill No. 428, recommends that it be amended by inserting in section 9, line 4, of the printed bill, after the word "much," the word "thereof."

Committee of the whole on House bill No. 28, recommends that it be amended by inserting in section 9, line 4, of the printed bill, after the word "much," the word "thereof."

Committee of the whole on House bill No. 66, recommends that it be amended as follows: In section 1, line 2, of the printed bill, strike out the word "Thurston," and insert in lieu thereof the word "Wahkiakum."

In section 2, line 7, of the printed bill, strike out the entire line and insert in lieu thereof the words "Brookfield, in Wahkiakum county."

Committee of the whole on Senate bill No. 285, recommends that it be indefinitely postponed.

Committee of the whole on House bill No. 307, reports it back without amendment.

Committee of the whole on House bill No. 43, reports it back without amendment.

Committee of the whole on House bill No. 157, reports it back without amendment.

Committee of the whole on House bill No. 459, reports it back without amendment.

On motion of Senator Cole, the Senate went into executive session to consider the appointments of Governor Rogers.

EXECUTIVE SESSION.

The following nominations were read and considered separately:

J. H. Morgan, of Ellensburg, to succeed J. G. Lawrence, of North Yakima, on the state board of education.

Carrie Shaw Rice, of Tacoma, to succeed E. S. Bingham, of Tacoma, on the state board of education.

J. B. Walker, of Spokane, to succeed R. C. Kerr, of Walla Walla, on the state board of education.

W. J. Hughes, of Fairhaven, to succeed J. M. Taylor, of Seattle, on the state board of education.

Each of the foregoing nominations was, on separate roll call, confirmed by the unanimous vote of all the senators present.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 33.

Nays: None.

Absent or not voting: Senator Reinhart.

On motion of Senator Plummer, the executive session was dissolved.

The president announced the following members of the free conference committee on Senate bill No. 106: Senators Cole, Wooding, Keith, Pusey and T. J. Miller.

Unanimous consent was given to take up Senate bill No. 243, by Senators Warburton, Washburn and Lewis, An act relating to justices of the peace and constables in cities having more than twenty thousand inhabitants, and fixing their number and salaries.

The bill was read the third time by sections.

On motion of Senator Yeend, section 1 was amended by striking out the word "twenty," in line 2 of the printed bill, and inserting in lieu thereof the word "five."

On motion of Senator Yeend, section 2 was amended by striking out the word "twenty," in line 2 of the printed bill, and inserting in lieu thereof the word "five."

On motion of Senator Taylor, section 2 was amended by striking out the words "one thousand," in line 2 of the printed bill, and inserting in lieu thereof the words "twelve hundred."

The bill was then placed on its final passage, and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David,

Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Warburton, Washburn, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Field, Reinhart, Van Patten, and Wilson — 4.

The title was amended by striking out the word “twenty,” and inserting in lieu thereof the word “five.”

Senator Taylor gave notice that at the proper time he would move to reconsider the vote by which the preceding Senate bill No. 243 was passed.

Unanimous consent was given to take up Senate bill No. 244, by Senators Warburton, Washburn and Lewis, An act relating to municipal courts, fixing salaries of judges and clerks thereof, and giving jurisdiction in actions removed by change of venue from justices of the peace.

On motion of Senator Taylor, the bill was indefinitely postponed.

On motion of Senator Plummer, at 10:20 o'clock P. M., the Senate adjourned until to-morrow at 9:30 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 10, 1897. }
9:30 o'clock A. M.

President Daniels called the Senate to order at 9:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The journal of yesterday was read and approved.

President Daniels signed Senate bill No. 287, by Senator T. J. Miller, An act appropriating the sum of ten thousand dollars, or so much thereof as may be necessary, for the payment of the salaries of members and employes and other expenses of this session of the legislature.

On motion of Senator Washburn, at 9:55 o'clock A. M., the Senate took a recess for fifteen minutes.

President Daniels called the Senate to order at 10:10 o'clock A. M.

The secretary read the following report:

REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred House bill No. 180, entitled "An act to provide for the official scaling of logs and lumber," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

AUGUSTUS HIGH.

JOHN McREAVY.

I do not concur in this report:

S. D. REINHART.

The conference committee on House bill No. 234 submitted the following report:

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your committee appointed to confer with a like committee of the House, in reference to House bill No. 234, entitled "An act for the protection of game animals and birds," etc., beg leave to report as follows: We recommend that the Senate recede from its amendment making section 24 section 25, and that the House recede from its position and concur in Senate amendment striking out section 16.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report:

F. M. BAUM.

J. W. RANGE.

The report was adopted by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Paul, Plummer, Pusey, Range, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Dorr, Frink, Lewis, Megler, Miller David, Miller T. J., Reinhart, and Runner — 10.

Senate bill No. 290, by Senator Wilson: An act relating to the publication of notices of sale of property on execution or order of sale.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill read the second time by title, the rules further suspended, the bill read the third time, and placed on its final passage.

It was then passed by the following vote: Yeas 20, nays 2, absent or not voting 12.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, Frink, Hall, High, Hill, Keith, Lesh, Lewis, Paul, Plummer, Pusey, Taylor, Warburton, Wilson, Wooding, and Yeend—20.

Those voting nay were: Senators Reinhart and Van Patten—2.

Absent or not voting: Senators Crow, Deckebach, Dorr, Harper, Houghton, McReavy, Megler, Miller David, Miller T. J., Range, Runner, and Washburn—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson, the rules were suspended, and the bill ordered transmitted to the House immediately.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 287, An act appropriating the sum of ten thousand dollars to defray the payment of the salaries of members and employes of this legislature, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 116, by Senator Crow, An act relating to deficiency judgments.

Also, Senate bill No. 141, by Senator Lesh, Relating to exemptions of personal property.

Also, Senate memorial No. 12, by Senator Keith, Requesting the president and congress of the United States to revoke the forest reserve proclamation of February 22, 1897, by the president of the United States.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 479, by Messrs. Cline, Gilkey and Freeman, An act relating to the titles to land, and providing for greater facility in ascertaining same.

Also, House memorial No. 14, by Mr. Hagadorn, A memorial asking the congress of the United States, to abolish the La Push Indian reserve at the mouth of the Quillayute river.

On motion the same were ordered transmitted to the Senate forthwith; and the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 620, substitute for House bill No. 434, by Committee on State Buildings, Public Grounds and Libraries: An act for expediting the completion of the state capitol building, and making an appropriation therefor, as amended, and the same is ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 278: An act subjecting the franchises of private corporations to sale upon execution, etc.

Also, the House has adopted the report of the conference committee on House bill No. 234, and recedes from amendment to section 16 of said bill.

On motion, the same were ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

GENERAL FILE.

Senate bill No. 129, by Senator Davis: An act to amend sections 3, 8 and 10 of an act entitled "An act regulating county surveyors, defining their powers and regulating their duties," Session Laws 1895, and declaring an emergency.

The bill was read the third time by sections.

Senator Lesh moved as an amendment to section 1 that the word "public" be inserted after the word "all" and before the word "surveys," in line 5 of the printed bill.

The amendment was adopted.

Senator Warburton moved that the bill be indefinitely postponed.

The motion was carried.

Senate bill No. 160, by Senator Range: An act relating to actions for the foreclosure of existing mortgages on real estate, and for the recovery of the debt secured by such mortgages on real estate, relating to sales in such cases, and declaring an emergency.

The bill was read the third time by sections.

Senator Plummer moved that it be indefinitely postponed.

The motion was carried.

Senate bill No. 194, by Senator Van Patten: An act to amend an act relating to public lands, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Cole, section 2 was stricken out, and the following inserted in lieu thereof: "An emergency exists, and this act shall take effect immediately."

Senator Davis offered the following amendment to section 1: Insert after the word "right," in line 14 of the printed bill, the words "for sixty days following the filing of final appraisal of the tide lands with the commissioner of public lands."

The amendment was lost.

The bill was then placed on its final passage, and passed by the following vote: Yeas 29, nays 2, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, and Yeend — 29.

Those voting nay were: Senators Easterday and McReavy — 2.

Absent or not voting: Senators Senators Frink, Runner, and Wooding — 3.

The emergency clause was passed by the following vote: Yeas 27, nays 3, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Runner, Van Patten, Warburton, Washburn, Wilson, and Yeend — 27.

Those voting nay were: Senators Easterday, McReavy, and Range — 3.

Absent or not voting: Senators Frink, Miller David, Taylor, and Wooding — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Deckebach, the bill was ordered transmitted to the House immediately.

Senate bill No. 187, by Senator Taylor: An act relating to public highways, cycle paths and ways.

On motion of Senator Taylor, House bill No. 384, "An act providing for the reservation of a portion of the public highways for the accommodation of bicycles and foot passengers," was substituted for the preceding Senate bill No. 187.

The bill was read the third time by sections.

On motion of Senator Taylor, section 3 was amended by striking out the word "imposed," in line 1 of the engrossed bill, and inserting in lieu thereof the word "collected."

On motion of Senator Easterday, the same section was further amended by striking out the word "auditor," in line 4 of the engrossed bill, and inserting in lieu thereof the word "treasurer."

The bill was then placed on its final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Yeend—29.

Nays: None.

Absent or not voting: Senators Deckebach, Lesh, McReavy, Megler, and Wooding—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Taylor, Senate bill No. 187, "An act relating to public highways," etc., was indefinitely postponed.

Senate bill No. 124, by Senator Baum: An act providing for the disorganization and liquidation of irrigation districts which have no bonded indebtedness, and the winding up of their affairs.

The bill was read the third time by sections.

On motion of Senator Baum, section 5 was amended by adding the following: "or any indebtedness contracted by such irrigation district, or its officers without lawful authority."

The bill was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Van Patten, Warburton, Washburn, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Lesh, McReavy, Megler, Range, Runner, Wilson, and Wooding — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baum, the bill was ordered transmitted to the House immediately.

On motion of Senator Easterday, Senate bill No. 234, by the Committee on Judiciary, "An act regulating the sale of real property on decrees of foreclosure and execution," was indefinitely postponed.

Senate bill No. 288, by the conference committee (substitute for House bill No. 371): An act fixing the fees to be paid to the secretary of state by corporations doing business in this state, and declaring an emergency.

The bill was read the third time by sections.

On motion of Senator Yeend, section 1 was amended by striking out the word "incorporation," in line 1 of the printed bill, and inserting in lieu thereof the word "corporation."

On motion of Senator Houghton, the bill was amended to read as follows:

SECTION 1. Every corporation incorporated under the laws of this state or of any state or territory of the United States, or of any foreign state, having a capital stock divided into shares, shall pay to the secretary of state for the uses of the state the following fees: Every corporation having a capital stock, \$10; the said fees to be due and payable upon the filing of the articles of incorporation in the office of the secretary of state, and no such corporation shall have or exercise any corporate powers or be permitted to do any business in this state until the said fees shall have been paid, and the secretary of state shall not file any articles of incorporation or their equivalent, or give any certificate thereof, until the said fees shall have been paid.

SEC. 2. Every corporation desiring to file articles amendatory or supplemental, or certificate of increase or decrease of capital stock, shall pay to the secretary of state for the use of the state the fee of \$10.

SEC. 3. The fee for furnishing a certified copy of articles of incorporation, with the seal of the state attached, shall be \$5, payable to the secretary of state for the use of the state, upon application therefor.

SEC. 4. There shall be no folio charge for recording articles of incorporation, or for preparing certified copies of the same, the fees herein prescribed, covering all charges for filing and recording articles of incorporation, issuing a certificate thereof and making and certifying to copies of the same: *Provided, however,* That where the articles to be recorded, or copied or certified to, shall exceed twenty folios, there shall be a further charge of fifteen cents per folio for all such excess.

SEC. 5. Every corporation, incorporated under the laws of this state, and every foreign corporation, having its articles of incorporation on file in the office of the secretary of state shall, on or before, the first day of July of each and every year, pay to the secretary of state, for the use of the state, the following license fees: Every corporation, having a capital stock, ten dollars. Every corporation failing to pay the said annual license fee, on or before the first day of July of each and every year, and desiring to pay the same thereafter, and before the first day of January next following, shall pay to the secretary of state, for the use of the state, in addition to said license fee, the following further fee, as a penalty for such failure: Every corporation, two dollars and fifty cents. Every corporation failing to pay said license fees and penalties on or before the thirty-first day of December of any year, shall forfeit the sum of five dollars for every day which it shall continue to do business as a corporation after said date, to be recovered in an action in any court of competent jurisdiction.

SEC. 6. This act shall not apply to corporations not for pecuniary profit, or to corporations organized for religious, social, fraternal, charitable, benevolent or educational purposes, nor to such insurance companies as are required to pay an annual license under the insurance laws of this state.

SEC. 7. An emergency exists, and this act shall take effect immediately.

The bill was then placed on its final passage, and passed by the following vote: Yeas 18, nay 10, absent or not voting 6.

Those voting yea were: Senators Baum, Davis, Easterday, Field, Harper, High, Houghton, Keith, Lesh, McReavy, Miller T. J., Plummer, Reinhart, Runner, Warburton, Washburn, Wilson, and Yeend — 18.

Those voting nay were: Senators Cole, Dorr, Frink, Hall, Hill, Lewis, Miller David, Paul, Range, and Van Patten — 10.

Absent or not voting: Senators Crow, Deckebach, Megler, Pusey, Taylor, and Wooding — 6.

The emergency clause failed to pass by the following vote: Yeas 20, nays 8, absent or not voting 6.

Those voting yea were: Senators Baum, Davis, Dorr, Easterday, Hall, Harper, High, Houghton, Keith, Lesh, McReavy, Miller T. J.,

Paul, Plummer, Reinhart, Runner, Warburton, Washburn, Wilson, and Yeend — 20.

Those voting nay were: Senators Cole, Crow, Field, Frink, Hill, Lewis, Miller David, and Van Patten — 8.

Absent or not voting: Senators Deckebach, Megler, Pusey, Range, Taylor, and Wooding — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer, at 12 o'clock M., the Senate adjourned until 1:30 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

The conference committee on Senate bill No. 263 submitted the following report:

REPORT OF JOINT COMMITTEE ON CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT AND MR. SPEAKER:

We, your committee on conference, from the Senate and the House, having under consideration Senate bill No. 263, relating to the public revenue, do submit the following report, as our joint agreement:

First: The Senate shall concur in the House amendment to section 5 of the Senate bill, and in striking out section 42. The House shall recede from its amendment to the title of the bill; from its amendment to section 30: from its amendment to section 98. And it is further agreed that section 119 should be amended, and for that purpose, your committee would ask that they be made a committee of free conference, in order to report section 119, as they believe it should be amended to read as follows:

SEC. 119. That all costs, penalties and interests in excess of six per cent. per annum from the date of delinquency on all state, county, school district, road district and municipality taxes levied for the year 1895 and previous years, and which have not been sold at tax sales to parties other than the county or municipality for which the original tax was levied be and are hereby remitted, and the county treasurer of the respective counties in this state are authorized to receive and receipt for the net amount of such taxes, as originally levied, with six per cent. interest per annum from the date of delinquency: *Provided*, That in order to receive the benefit of the remission herein provided for, all such

delinquent taxes shall be paid on or before the 30th day of November, 1897, with interest as aforesaid, and if not so paid, then all penalties, costs and interest, now charged against the same shall be and remain a charge against such delinquent property, and the said treasurer shall thereupon issue certificates of delinquency against any and all of said property, in the same manner and to the same effect, as provided for in this act in relation to certificates of delinquency, and the treasurer is hereby authorized to enter such remission upon his tax receipts, when issued, as discount.

Respectfully submitted.

E. W. TAYLOR,
W. H. PLUMMER,
C. W. DORR,
W. E. RUNNER,
J. W. RANGE,
On part of Senate.

E. W. WAY,
GEORGE B. KITTINGER,
W. L. FREEMAN,
CLEVELAND SMITH,
JOHN HARGRAVE,
On part of House.

Senator Keith moved that the report be adopted.

The motion was carried by the following vote: Yeas 21, nays 13, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Harper, High, Hill, Houghton, Keith, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Rinehart, Runner, Taylor, and Yeend — 21.

Those voting nay were: Senators Easterday, Frink, Hall, Lesh, Lewis, McReavy, Megler, Van Patten, Warburton, Washburn, Wilson, and Wooding — 13.

Absent or not voting: None.

The following protest was entered:

We hereby file our protest at the manner of taking the vote in regard to accepting the report of the conference committee on Senate bill No. 263, claiming the procedure to be irregular and unconstitutional.

F. G. DECKEBACH.
S. WARBURTON.
R. C. WASHBURN.
J. M. FRINK.
JOHN MCREAVY.
FRANK P. LEWIS.
J. G. MEGLER.
D. E. LESH.
R. C. WILSON.

The free conference committee on Senate bill No. 263 submitted the following report:

REPORT OF COMMITTEE ON FREE CONFERENCE.

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT and MR. SPEAKER:

We, your committee on free conference, to whom was submitted, for consideration, the disagreement of the Senate and House over Senate bill No. 263, and concerning section 119, beg leave to report the following as an amendment to said section 119:

SEC. 119. All costs, penalties and interest in excess of six per cent. per annum from the date of delinquency on all state, county, school district, road district and municipality taxes levied for the year 1895 and previous years, and which have not been sold at tax sales to parties other than the county or municipality for which the original tax was levied, be and are hereby remitted, and the county treasurers of the respective counties in this state are authorized to receive and receipt for the net amount of such taxes as originally levied, with six per cent. interest per annum from the date of delinquency: *Provided*, That in order to receive the benefit of the remission herein provided for, all such delinquent taxes shall be paid on or before the 30th day of November, 1897, with interest as aforesaid, and if not so paid, then all the penalties, costs and interest, now charged against the same shall be and remain a charge against such delinquent property, and the said treasurer shall thereupon issue certificates of delinquency against any and all of the said property in the same manner and to the same effect as provided for in this act in relation to certificates of delinquency, and the treasurer is hereby authorized to enter such remission upon his tax receipts when issued, as discount.

We, your committee, would further recommend that a new section be added, as follows:

SEC. 121. All elections for the validation of any debt created by any city, which has since become consolidated with any other city, shall be by, and the vote shall be taken in the new consolidated city, as the same is constituted at the time of any such election.

We, your committee, would further submit that the secretary be instructed to number the sections of the bill from 41 to the end of the bill, so that the same may be consecutive, and as thus amended, we recommend that the bill do pass.

Respectfully submitted.

E. W. TAYLOR,
C. W. DORR,
J. W. RANGE,
W. H. PLUMMER,
W. E. RUNNER,

On part of Senate.

E. W. WAY,
JOHN HARGRAVE,
C. SMITH,
GEORGE B. KITTINGER,
W. L. FREEMAN,

On part of House.

Senator Plummer moved that the report be adopted.

The motion was carried by the following vote: Yeas 20, nays 12, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Harper, High, Hill, Keith, Miller David, Miller

T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, and Yeend — 20.

Those voting nay were: Senators Deckebach, Frink, Hall, Houghton, Lesh, Lewis, McReavy, Megler, Warburton, Washburn, Wilson, and Wooding — 12.

Absent or not voting: Senators Pusey and Van Patten — 2.

The following protest was entered:

We protest against the action of the Senate in concurring in House amendment to section 5 in Senate bill No. 263, exempting from taxation improvements on real estate to the value of five hundred dollars.

R. C. WILSON.
JOHN WOODING.
OLIVER HALL.
S. WARBURTON.
F. G. DECKEBACH.
J. M. FRINK.
J. G. MEGLER.
R. C. WASHBURN.
FRANK P. LEWIS.
D. E. LESH.
F. C. HARPER.

The amended bill was then placed on its final passage, and passed by the following vote: Yeas 24, nays 8, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Wilson, and Yeend — 24.

Those voting nay were: Senators Deckebach, Frink, Hall, Lesh, Lewis, Warburton, Washburn, and Wooding — 8.

Absent or not voting: Senators Pusey and Van Patten — 2.

The emergency clause was passed by the following vote: Yeas 24, nays 8, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Wilson, and Yeend — 24.

Those voting nay were: Senators Deckebach, Frink, Hall, Lesh, Lewis, Warburton, Washburn, and Wooding — 8.

Absent or not voting: Senators Pusey and Van Patten — 2.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The conference committee on House bill No. 417 submitted the following majority and minority reports:

REPORT OF RAILROAD CONFERENCE COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Railroad Conference, to whom was referred House bill No. 417, entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the House concur in the Senate amendments.

Respectfully submitted.

F. G. DECKEBACH, Chairman.

We concur in this report:

C. W. DORR.

DAVID MILLER.

F. R. BAKER.

JOHN CANUTT.

L. E. RADER.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Railroad Conference, to whom was referred House bill No. 417, entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the House do not concur in the Senate amendments, and ask for the appointment of a free conference committee.

Respectfully submitted.

L. C. CROW.

W. E. RUNNER.

GEO. M. WITT.

W. B. ROBERTS.

PROCEEDINGS OF THE RAILROAD CONFERENCE COMMITTEE.

OLYMPIA, March 10, 1897.

The railroad conference committee of the Senate and House met in the committee rooms. Present: Senators Deckebach (chairman), Crow, Dorr

and Runner; Representatives Canutt, Witt, F. R. Baker, Rader and Roberts.

It was moved by Mr. Roberts that the committee recommend that the House refuse to concur in the Senate amendments to House bill No. 417, and ask for the appointment of a free conference committee. Seconded by Senator Runner.

It was then moved by Mr. F. R. Baker as a substitute that the committee recommend that the House concur in the Senate amendments. Seconded by Mr. Canutt.

The vote on the substitute was then taken, and resulted as follows:

For the substitute: Deckebach, Dorr, Miller, Baker, and Canutt — 5.

Against the substitute: Crow, Runner, Witt, Rader, and Roberts — 5.

The vote being a tie, the motion was lost. A vote was then taken on the motion of Mr. Roberts, which resulted as follows:

For the motion: Runner, Crow, Roberts, Rader, and Witt — 5.

Against the motion: Deckebach, Dorr, Miller, Baker, and Canutt — 5.

The vote being a tie, the motion was lost. It was then moved by Mr. Rader that the vote by which Mr. Baker's substitute motion failed to carry be reconsidered. Upon this, the vote resulted as follows:

For reconsideration: Deckebach, Dorr, Miller, Baker, Rader, and Canutt — 6.

Against reconsideration: Crow, Runner, Witt, and Roberts — 4.

The motion was therefore carried, by a vote of six to four. A vote was then taken on Mr. Baker's original motion that the House concur in the Senate amendments, which resulted as follows:

For concurrence: Deckebach, Dorr, Miller, Rader, Canutt, and Baker — 6.

Against concurrence: Crow, Runner, Witt, and Roberts — 4.

The motion to concur in the Senate amendments was therefore carried by a vote of six to four.

Majority and minority reports were directed to be made out in accordance with the proceedings, and the committee then adjourned.

EDWARD JOHNSON, Secretary of Committee.

Senator Plummer moved that the majority report be adopted.

Senator Crow moved as an amendment that the minority report be adopted.

The amendment was lost, and the original motion prevailed.

House bill No. 68, by Mr. Kittinger: An act extending the right of eminent domain to mining, milling or reduction works companies, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 23, nays 3, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill,

Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Warburton, Wilson, and Wooding — 23.

Those voting nay were: Senators Range, Reinhart, and Van Patten — 3.

Absent or not voting: Senators Hall, Houghton, Lesh, Pusey, Runner, Taylor, Washburn, and Yeend — 8.

The emergency clause was passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Easterday, Field, Frink, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Warburton, Washburn, Wilson, and Wooding — 23.

Nays: None.

Absent or not voting: Senators Davis, Dorr, Hall, Houghton, Lesh, Pusey, Range, Runner, Taylor, Van Patten, and Yeend — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 289, by Senator Plummer: An act to amend section 1 of an act entitled "An act establishing a board of pardons and defining its duties, and declaring an emergency."

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 20, nays 3, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Harper, High, Hill, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Washburn, and Wilson — 20.

Those voting nay were: Senators Van Patten, Warburton, and Wooding — 3.

Absent or not voting: Senators Crow, Deckebach, Frink, Hall, Houghton, Lesh, Lewis, Pusey, Runner, Taylor, and Yeend — 11.

The emergency clause was passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Van Patten, Washburn, Wilson, and Wooding — 25.

Those voting nay were: Senators Lewis and Taylor — 2.

Absent or not voting: Senators Crow, Deckebach, Lesh, Pusey, Runner, Warburton, and Yeend — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 268, by Senator Baum: An act to prevent the destruction, mutilation or defacement of land marks, monuments and notices upon mining claims, and providing a penalty therefor.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Washburn, Wilson, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Frink, Houghton, Lesh, Pusey, Range, Taylor, and Wooding — 7.

The emergency clause was passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Paul, Plummer, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, Wilson, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Lesh, Miller T. J., Pusey, Taylor, and Wooding — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 171, by Senator Plummer: An act relating to negotiable papers.

The bill was read the third time by sections.

It was then placed on final passage, and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Baum, Cole, Lesh, Pusey, Warburton, and Wooding—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 208, by Senator T. J. Miller: An act providing for a current expense fund in cities of the third class, and declaring an emergency.

Senator T. J. Miller offered the following substitute:

SECTION 1. In all municipal corporations, having less than twenty thousand inhabitants, there shall be maintained a fund, to be designated as "current expense fund," and, after the first day of February, 1898, a fund to be designated as "indebtedness fund."

SEC. 2. All moneys collected by such corporations from licenses for the sale of intoxicating liquors, and from all other licenses, shall be credited and applied by the treasurer to said "current expense fund:" *Provided*, That this act shall not exempt such corporations from paying ten per cent. of all money collected for liquor licenses to the state.

SEC. 3. Such municipal corporations shall levy and collect annually a property tax for the payment of current expenses, not exceeding ten mills on the dollar; a tax for the payment of indebtedness (if any indebtedness exists) not exceeding six mills on the dollar, and all moneys collected from the taxes levied for payment of current expenses shall be credited and applied by the treasurer to "current expense fund;" and all moneys collected from the taxes levied for payment of indebtedness shall be credited and applied to a fund to be designated as "indebtedness fund."

SEC. 4. The levy of tax for current expenses shall be based upon an estimate of the expenses for the ensuing year, which estimate shall be adopted by a majority vote of the councilmen present at the meeting at which the levy is made, and shall be entered in the record of the proceedings of the council, and in making such estimate, the probable revenues from licenses and from all sources, other than from taxes, shall be taken into consideration, and the levy shall not exceed, by more than twenty per cent., the amount of such estimate. Current expenses shall be deemed to include all salaries, the expenses of the various departments of the city government, the making, improvement and repairs of streets and sidewalks (excepting such improvements the cost of which is to be assessed against any specific property), the making and improvement of sewers, and any and all other expenses necessary to be incurred in maintaining the corporation and in its government, in accordance with its charter and the needs of its inhabitants.

SEC. 5. The tax for payment of indebtedness shall be based upon a statement of such indebtedness, which shall be prepared by the clerk and approved by the council by a majority vote, at the meeting at which the

levy is made, which statement shall be entered in the record of the proceedings of the council. In making the levy, consideration shall be taken of all outstanding warrants, certificates and all other obligations and indebtedness of the city, with the interest thereon, for the payment of which no provision is made by law, by the levy of a special tax, or otherwise than by a general tax, and this act shall not affect existing laws relating to the levy or collection of any tax, or the maintenance of any fund, for the payment of any bonded or funded indebtedness, or of the interest thereon.

. SEC. 6. On the first day of February, 1898, or as soon thereafter as practicable, all moneys in the hands of the treasurer to the credit of the street fund, or the sewer fund, in excess of the amount necessary to pay any and all warrants outstanding against said funds, shall be transferred and credited and applied to the current expense fund.

SEC. 7. All moneys collected on and after the first day of February, 1898, from taxes of the year 1896 and previous years, and from penalty and interest thereon, shall be paid into the indebtedness fund.

SEC. 8. From and after the first day of February, 1898, any and all moneys, which by any law enacted prior hereto are payable into the general fund, except taxes, shall be credited and applied to the current expense fund.

SEC. 9. All moneys in the current expense fund shall be paid and applied upon current expenses, and from and after the first day of February, 1898, all current expenses shall be paid out of said current expense fund.

SEC. 10. Any such municipal corporation maintaining water works, lighting plants, cemetery or other public works or institutions, from which rents or other revenues or income are derived, shall maintain separate funds for each of said public works or institutions, designated as "Water Works Fund," "Lighting Fund," "Cemetery Fund," or otherwise, as the case may be. No special tax shall be levied for the maintenance of such water works, electric lighting plant, cemetery or other public works or institutions, but the expense of such public works or institutions, less the rents or other revenues or income therefrom, shall be considered in levying the taxes for payment of current expenses, and any deficit in the maintenance of such public works or institutions shall be paid out of the current expense fund, and any surplus in said "Water Works Fund," "Lighting Fund," "Cemetery Fund," or other like funds, shall, at the end of each fiscal year, be paid and transferred to the current expense fund: *Provided*, That this act shall not affect existing laws relating to any funded or bonded indebtedness incurred in the construction or purchase of such public works or institutions, or to the levy and collection of taxes for the payment of such funded or bonded indebtedness: *Provided*, That if the council shall find, and enter such finding in the record of their proceedings, that it is necessary to retain such surplus or any part thereof in such fund for the purpose of extending or repairing such public works or institutions, or for the purpose of paying interest or principal of any indebtedness incurred in the construction or purchase of such public

works or institutions, or for the purpose of creating or adding to a sinking fund for the payment of such indebtedness, then such surplus or any part thereof may be so retained or paid upon such indebtedness or interest thereon, or may be transferred to such sinking fund.

SEC. 11. In all cases where the limits of such corporations have been or shall be extended, and additional territory annexed, it shall be the duty of the council and officers of the corporation to arrange and keep and maintain the accounts and funds of the corporation in such a manner that the interests of the inhabitants and taxpayers of the several districts of the corporation, in the various funds and property of the city shall be clearly shown, and in all transactions these different interests shall be considered and protected.

SEC. 12. All elections for the validation of any debt, created by any city, which has since become consolidated with any other city, shall be by, and the vote shall be taken in, the new consolidated city, as the same is constituted at the time of any such election.

SEC. 13. An emergency exists and this act shall take effect immediately.

The bill was then placed on its final passage, and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Taylor, Van Patten, Wilson, and Wooding — 25.

Nays: none.

Absent or not voting: Senators Crow, Houghton, Lesh, Pusey, Range, Runner, Warburton, Washburn, and Yeend — 9.

The emergency clause was passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Taylor, Van Patten, and Wilson — 24.

Noes: none.

Absent or not voting: Senators Houghton, Lesh, Pusey, Range, Reinhart, Runner, Warburton, Washburn, Wooding, and Yeend — 10.

The title was amended to read as follows: "An act relating to the taxes and funds of municipal corporations having less than twenty thousand inhabitants."

Senator Crow was called into the chair.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 194, by Senator Van Patten, An act amending an act relating to public lands, etc., and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 384, An act relating to bicycle paths, etc., and the same is herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bill No. 384.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 22, by Senator Taylor, Providing for the printing five hundred copies, each, of the Senate and House journals, etc., as amended, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 517, by Mr. Fritz, An act regulating charges of telegraph companies, and providing penalties for its violation.

Also, House bill No. 415, by Mr. Kittinger, An act providing for construction of water mains.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 68, An act extending to mining companies the right of eminent domain, etc., and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has refused to recede from House amendments to Senate bill No. 291, and asks for a conference committee thereon, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has appointed the following named gentlemen, to wit, Messrs. Couch, Guie and Gerry, a committee to confer with the committee appointed by the Senate, concerning the differences between the two Houses in re House bill No. 291.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Senate bill No. 263, and has appointed the same committee of the House as a free conference committee on section 119 of said bill.

The House has adopted the report of the free conference committee, on Senate bill No. 263.

S. P. CARUSI, Chief Clerk.

The secretary read the following reports of standing committees:

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 208, entitled "An act relating to the taxes and funds of municipal corporations having less than twenty thousand inhabitants," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. A. COLE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 273, entitled "An act making appropriation for sundry civil expenses of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899," have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. A. COLE.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 116, entitled "An act relating to deficiency judgments," have had

the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 116.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 141, entitled "An act relating to exemption of personal property," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 141.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate memorial No. 12, Relative to forest reservation, have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate memorial No. 12.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 76, entitled "An act to prescribe the mode of payment of all obligations of debt to be paid in money," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 76.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 162, entitled "An act to permit farmers, gardeners and manufacturers to dispose of the products of their labor," have had the same

under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 162.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 220, entitled "An act for the relief of the Union Savings Bank and Trust Company, a corporation, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 220.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 289, entitled "An act to amend section 1 of an act entitled 'An act establishing a board of pardons and defining its duties, and declaring an emergency,'" have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 289.

Senate bill No. 221, by Senator McReavy: An act to divide the State of Washington into two districts for the purpose of regulating the fishing industry and for the protection of food fishes.

The bill was read the third time by sections.

On motion of Senator Megler, the report of the Committee on Fisheries on the preceding bill was adopted.

It was then placed on its final passage, and passed by the following vote: Yeas 31, nays 1, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, and Wilson — 31.

Senator Range voted nay.

Absent or not voting: Senators Wooding and Yeend — 2.

The emergency clause was passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, and Wooding — 30.

Nays: None.

Absent or not voting: Senators Easterday, Houghton, Van Patten, and Yeend — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson moved that the Senate refuse to concur in the House amendments to Senate bill No. 290: An act relating to a board of pardons.

The motion was carried by the following vote: Yeas 25, nays 7, absent or not voting 2.

Those voting yea were: Senators Baum, Crow, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Paul, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 25.

Those voting nay were: Senators Cole, Davis, Lesh, Miller T. J., Plummer, Range, and Yeend — 7.

Absent or not voting: Senators Pusey and Runner — 2.

Senate bill No. 258, by Senator Megler: An act for the protection of sturgeon in the waters of the Columbia river and its tributaries.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Frink, Hall, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, and Wooding — 29.

Nays: None.

Absent or not voting: Senators Field, Hill, Runner, Warburton, and Yeend — 5.

The emergency clause was passed by the following vote: Yeas 29, nays 2, absent or not voting 3.

Those voting yea were: Senators Baum, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, and Wooding — 29.

Those voting nay were: Senators Cole and High — 2.

Absent or not voting: Senators Deckebach, Warburton, and Yeend — 3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 259, by Senator Keith: An act prohibiting the maintenance, construction and use of fixed appliances and seines for the catching of salmon in certain waters and in parts of certain waters in the State of Washington, and regulating the licensing and use of the same in certain other of the waters of said state, including the Columbia river, and for the licensing of gill nets and drift nets, and providing for the disposition of the funds arising therefrom, and repealing an act of the legislature of the State of Washington approved March 10, 1893, entitled "An act regulating fish traps, pound nets, weirs, set nets, fish wheels or other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries and Puget Sound; for providing for the licensing thereof, and the disposition of the funds arising therefrom, and declaring an emergency."

The bill was read the third time by sections.

On motion of Senator Harper, section 1 was amended by inserting after the word "sixty," in line 6 of the printed bill, the word "five."

On motion of Senator High, section 1 was further amended by striking out all of line 11 of the printed bill after the word "rivers," and all of lines 12, 13 and 14 of the printed bill.

On motion of Senator Dorr, section 3 was amended by striking out the word "and," in line 8 of the printed bill, and inserting in lieu thereof the word "or."

On motion of Senator Dorr, section 4 was amended by inserting the word "other" after the word "or," in line 3 of the printed bill.

On motion of Senator Dorr, section 8 was amended by inserting,

after the word "commissioner," in line 20 of the printed bill, the words "there shall also be paid by each salmon cannery in this state an annual license, as follows."

Senator Harper offered the following amendment to section 17: Strike out the figures "50," in line 17 of the printed bill, and insert, in lieu thereof, the figures "25."

Senator High offered the following substitute for the amendment: Strike out the figures "50," in line 17 of the printed bill, and insert, in lieu thereof, the figures "35."

The substitute was lost, and the amendment prevailed.

On motion of Senator Dorr, section 7 was further amended by inserting, after the word "net," in line 12 of the printed bill, the words "or drift net," and by striking out the word "and," in line 16 of the printed bill, and inserting, in lieu thereof, the word "or."

The bill was then placed on its final passage, and passed by the following vote: Yeas 27, nay 1, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wooding, and Yeend — 27.

Senator Deckebach voted nay.

Absent or not voting: Senators Lesh, Lewis, Miller David, Pusey, Range, and Wilson — 6.

The emergency clause was passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Houghton, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Deckebach, Hill, Lesh, Lewis, Miller David, Range, Runner, and Wilson — 8.

On motion of Senator Dorr, the title was amended to read as follows: An act prohibiting the maintenance, construction and use of fixed appliances and seines for the catching of salmon in certain waters and in parts of certain waters in the State of Washington, and regulating the licensing and use of the same in certain other

of the waters of said state, including the Columbia river, and for licensing the use of all salmon fishing gear and salmon canneries, and providing for the disposition of the funds arising therefrom, and repealing an act of the legislature of the State of Washington approved March 10, 1893, entitled "An act regulating fish traps, pound nets, weirs, set nets, fish wheels or other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries and Puget Sound; for providing for the licensing thereof, and the disposition of the funds arising therefrom, and declaring an emergency."

Senator Warburton moved that Senate bill No. 270 (substitute for House bill No. 255) be passed over until 7:30 o'clock P. M.

The motion was carried.

Senator Taylor moved that when the Senate adjourn, it be until 7:30 o'clock P. M.

The motion was carried.

President Daniels resumed the chair.

The clerk of the House read the following messages.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 162 (substitute for House bill No. 111), by Committee on Education, An act to permit farmers, gardeners and manufacturers to dispose of the products of their labor, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 384, An act providing for the reservation of a portion of the highways for the accommodation of bicycles and passengers.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 355, by Mr. Wilkeson, An act for the relief of W. B. Davey and the other creditors of the state normal school at New Whatcom, as amended, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

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Also, House bill No. 893, by Mr. P. M. Smith, An act authorizing cities to sell water works, gas, or electric light works.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

(OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 220, by Senator Easterday: An act for the relief of the Union Savings Bank and Trust company, a corporation, and making an appropriation therefor.

Also, Senate bill No. 289, by Senator Plummer: An act to amend section 1 of an act entitled "An act establishing a board of pardons and defining its duties, and declaring an emergency."

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 141: An act relating to exemptions of personal property.

Also, Senate bill No. 76: An act to prescribe the mode of payment of all obligations of debt to be paid in money.

Also, Senate bill No. 116: An act relating to deficiency judgments.

Also, Senate memorial No. 12: Memorializing the President and Congress of the United States in re the revocation of the forest reserve proclamation of February 22, 1897.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

Senate bill No. 204, by Senator Crow: An act granting to judgment debtors the right of possession, rents, issues and profits of real estate and premises sold under execution during the period of redemption, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 26, nays 3, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Field, Frink, Hall, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 26.

Those voting nay were: Senators Deckebach, Easterday, and Megler — 3.

Absent or not voting: Senators Harper, Miller David, Paul, Pusey, and Warburton — 5.

The emergency clause was passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has refused to concur in Senate amendments to House bill No. 417, substitute for House bill No. 294, An act fixing maximum rates of transportation; and the House asks that a free conference committee be appointed to confer on said bill; and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 290, by Senator Wilson, An act relating to the publication of notices of sales of property on execution or order of sale, as amended; and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 631, substitute for House bill No. 326, by Mr. Gilkey, An act to encourage the use of wide tires on vehicles, and to protect the public highways of the state, etc.; and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has appointed the following named gentlemen, to wit: Messrs. Scott, F. R. Baker, and C. P. Bush, to confer with a committee, which is hereby respectfully requested to be appointed by the Senate, on Senate bill No. 106.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed House concurrent resolution No. 22, In relation to the procurement by exchange, of copies of the Session Laws, for the use of legislative committees.

Also, the speaker of the House has signed House bill No. 278, An act subjecting the franchises to sale upon execution, and upon order of sale under foreclosure of mortgage.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House concurrent resolution No. 23, and House bill No. 278.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 325, by Mr. Forbes, An act relating to pension money, etc.

Also, House bill No. 393, by Mr. P. M. Smith, An act authorizing cities to sell water works, gas, or electric light works.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

(OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 220, by Senator Easterday: An act for the relief of the Union Savings Bank and Trust company, a corporation, and making an appropriation therefor.

Also, Senate bill No. 289, by Senator Plummer: An act to amend section 1 of an act entitled "An act establishing a board of pardons and defining its duties, and declaring an emergency."

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 141: An act relating to exemptions of personal property.

Also, Senate bill No. 76: An act to prescribe the mode of payment of all obligations of debt to be paid in money.

Also, Senate bill No. 116: An act relating to deficiency judgments.

Also, Senate memorial No. 12: Memorializing the President and Congress of the United States in re the revocation of the forest reserve proclamation of February 22, 1897.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

Senate bill No. 204, by Senator Crow: An act granting to judgment debtors the right of possession, rents, issues and profits of real estate and premises sold under execution during the period of redemption, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 26, nays 3, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Field, Frink, Hall, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend—26.

Those voting nay were: Senators Deckebach, Easterday, and Megler—3.

Absent or not voting: Senators Harper, Miller David, Paul, Pusey, and Warburton—5.

The emergency clause was passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Field, Frink, Hall, High, Hill, Houghton, Keith, Lewis, Megler, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Deckebach, Easterday, Harper, Lesh, McReavy, Miller David, Paul, Pusey, and Warburton — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson moved that a conference committee be appointed to confer with a like committee from the House in regard to the differences between the two houses relative to Senate bill No. 290.

The motion was carried, and the president appointed Senators Wilson, Crow and Taylor as such committee.

Senate bill No. 210, by Senator Taylor: An act requiring street cars to be provided with pilots, fenders or aprons.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Crow, Dorr, Easterday, Field, Frink, High, Hill, Houghton, Lewis, McReavy, Megler, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Wilson, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Cole, Davis, Deckebach, Hall, Harper, Keith, Lesh, Miller David, Paul, Pusey, and Washburn — 11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 260, by Senator Baum: An act providing for the service of summons and complaint upon corporations which have been doing business in this state, where such corporations are in the hands of a receiver and there are no officers in this state upon whom summons and complaint can be served.

The bill was read the third time by sections.

On motion of Senator Plummer, section 2 was stricken out, and the following inserted in lieu thereof: "An emergency exists, and this act shall take effect immediately."

On motion of Senator Dorr, section 1 was amended to read as follows: "Section 1. That whenever any domestic or foreign cor-

poration, which has been doing business in this state, has been placed in the hands of a receiver, and the receiver is in possession of any of the property or assets of such corporation, service of all process upon such corporation may be made upon the receiver thereof."

The bill was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lewis, McReavy, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Deckebach, Harper, Lesh, Megler, Miller David, Paul, and Pusey — 7.

The emergency clause was passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller T. J., Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Harper, Lesh, Miller David, Paul, and Pusey — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following resolution was introduced by Senator Wooding:

Resolved, That the sergeant-at-arms be instructed to take charge of the Senate chamber after legislature adjourns, clean and dust the same and deliver all keys and other property to the secretary of state, taking his receipt therefor, and shall receive \$20 for such extra services.

The resolution was adopted.

Senator Wooding moved to adjourn.

The motion was lost.

Senate bill No. 274, by Senator Lesh: An act defining the duties of physicians, accouchers and surgeons.

The bill was read the third time by sections.

On motion of Senator Taylor, section 3 was amended by striking out the words "or improperly," in line 1 of the printed bill.

The bill was then placed on its final passage, and passed by the following vote: Yeas 21, nays 1, absent or not voting 12.

Those voting yea were: Senators Baum, Cole, Davis, Frink, High, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 21.

Senator Hall voted nay.

Absent or not voting: Senators Crow, Deckebach, Dorr, Easterday, Field, Harper, Hill, Houghton, Lewis, Pusey, Runner, and Yeend — 12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Deckebach, at 5:15 o'clock P. M., the Senate adjourned until 7:30 o'clock P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

INTRODUCTION OF HOUSE BILLS.

House bill No. 620, by Committee on State Buildings and Grounds: An act for expediting the completion of the state capitol building, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

House bill No. 325, by Mr. Forbes, An act relating to pension money.

Read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 415, by Mr. Kittinger: An act to provide for the construction and renewal of public water mains and sewers in incorporated cities and towns.

Read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 517, by Mr. Fritz: An act regulating charges of telegraph companies, and providing penalties for its violation.

Read first time; rules suspended, read second time by title, and place on general file.

House bill No. 393, by Mr. P. M. Smith: An act to authorize cities and towns which have purchased or constructed water works or gas or electric light works, to lease or sell the same, and to ratify and confirm leases or sales of the same heretofore made by such cities and towns.

Read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 479, by Messrs. Cline, Gilkey and Freeman: An act in relation to the titles to land, and providing for greater facility in ascertaining the same.

Read first time; rules suspended, read second time by title, and placed on general file.

House memorial No. 14, by Mr. Hagadorn: To abolish the La Push Indian reserve.

Read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 355, by Mr. Wilkeson: An act for the relief of W. B. Davey, and other creditors of the state normal school at New Whatcom.

The bill was read the first time, the rules were suspended, the bill read the second time by title, and referred to the committee of the whole.

Senate concurrent resolution No. 21 was returned from the House with the following House amendment: In line 15, after the word "provided," insert the words "that the publication of said special laws shall be done within the month of July, 1897, and."

The Senate refused to concur in the House amendment by the following vote: Yeas 8, nays 17, absent or not voting 9.

Those voting yea were: Senators Cole, Davis, High, McReavy, Miller T. J., Range, Runner, and Yeend — 8.

Those voting nay were: Senators Crow, Deckebach, Dorr, Frink, Hall, Hill, Lesh, Lewis, Megler, Plummer, Pusey, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 17.

Absent or not voting: Senators Baum, Easterday, Field, Harper, Houghton, Keith, Miller David, Paul, and Van Patten — 9.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 260, entitled "An act providing for the service of summons and complaint upon corporations which have been doing business in this state when such corporations are in the hands of a receiver, and there are no officers in this state upon whom summons and complaint can be served," have examined and compared the same, and we respectfully report the same back to the Senate, with the recommendation that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. W. RANGE.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 461, by Mr. Phelps: An act relating to the reduction of salaries of county officers.

Also, House bill No. 474, by Mr. Forbes: An act to amend section 200, volume 1, Hill's Annotated Statutes and Codes of Washington, relating to index to be kept by county auditors.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 51, by Senator Hill: An act to provide for submitting an amendment to article 6 of the constitution of the State of Washington, embodying the right of woman suffrage.

Also, the House has passed Senate concurrent resolution No. 21, providing for the printing of two thousand copies of the Session Laws of 1897, as amended.

And the same are hereby transmitted to the Senate.

The House has passed House bill No. 381, by Mr. Likins, An act relating to An act providing for the government of cities of the third class, etc., and declaring an emergency. Rules suspended, and bill ordered transmitted to the Senate forthwith.

S. P. CARUSI, Chief Clerk.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 259, An act prohibiting the maintenance, construction and use of

fixed appliances and seines for the catching of salmon in certain waters in the State of Washington, and regulating and licensing the use of the same, have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. A. COLE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 221, An act to divide the State of Washington into two districts for the purpose of regulating the fishing industry, and for the protection of food fishes, have examined and compared the same, and we respectfully report that it is correctly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report:

J. A. COLE.

House bill No. 255, by Mr. Cline, "An act repealing all acts or portions of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for regulating the manufacture and sale of the same," was substituted for Senate bill No. 270, by Committee on Public Morals, "An act providing for submission to the voters the proposition of adopting the Cline dispensary law."

House bill No. 255 was then indefinitely postponed by the following vote: Yeas 18, nays 15, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Hall, High, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Taylor, Warburton, and Yeend — 18.

Those voting nay were: Senators Crow, Field, Frink, Harper, Hill, Lesh, Lewis, Megler, Pusey, Range, Runner, Van Patten, Washburn, Wilson, and Wooding — 15.

Absent or not voting: Senator Houghton.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has passed House bill No. 151, by Mr. Day. An act relating to an act providing for the organization and regulation of banks and prescribing penalty for violations of this act, and declaring an emergency.

On motion, the rules were suspended, and the bill ordered transmitted to the Senate forthwith; and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

House bill No. 113, by Mr. Wilkeson, "An act providing for dissolution of municipal corporations," was read third time in full, and passed by following vote: Yeas 20, nays 0, absent or not voting 14.

Those voting yea were: Senators Baum, Cole, Crow, Easterday, Harper, High, Hill, Keith, Lesh, Lewis, Megler, Miller T. J., Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Wilson, and Wooding — 20.

Nays: None.

Absent or not voting: Senators Davis, Deckebach, Dorr, Field, Frink, Hall, Houghton, McReavy, Miller David, Paul, Runner, Warburton, Washburn, and Yeend — 14.

The emergency clause failed to pass by the following vote: Yeas 4, nays 20, absent or not voting 9.

Those voting yea were: Senators Cole, Lesh, Lewis, and Van Patten — 4.

Those voting nay were: Senators Crow, Dorr, Easterday, Frink, Hall, Harper, High, Hill, Keith, McReavy, Megler, Miller T. J., Plummer, Pusey, Rinehart, Runner, Taylor, Warburton, Washburn, Wilson, and Wooding — 14.

Absent or not voting: Senators Baum, Davis, Deckebach, Field, Houghton, Miller David, Paul, Range, and Yeend — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The House has refused to recede from its amendment to Senate concurrent resolution No. 21, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

Senate bill No. 152, by Senator Taylor: An act to regulate house drainage and plumbing, was read the third time in full, and amended by striking out in line 6 of section 5 of the printed bill, the words "said board of health," and inserting "city council of said city." In line 2, section 2, of the printed bill, the words "in any city having 5,000 inhabitants or more," were inserted after the words "journeyman plumber."

The bill was then passed by the following vote: Yeas 21, nays 9, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, High, Houghton, Keith, Lesh, Miller David, Miller T. J., Paul, Plummer, Pusey, Taylor, Van Patten, Warburton, and Yeend — 21.

Those voting nay were: Senators Frink, Harper, Lewis, McReavy, Megler, Range, Reinhart, Washburn, and Wilson — 9.

Absent or not voting: Senators Deckebach, Hill, Runner, and Wooding — 4.

The original title of the bill was agreed to.

Senate bill No. 281, by Senator Baum, An act relating to service of process by sheriffs, was read the third time in full, and passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Hill, Houghton, Keith, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, and Wilson — 27.

Senator Frink voted nay.

Absent or not voting: Senators Davis, Lesh, McReavy, Range, Wooding, and Yeend — 6.

The original title of the bill was agreed to.

Senate bill No. 111, by Senator Davis, An act relating to legal publications, was indefinitely postponed by the following vote: Yeas 22, nays 8, absent or not voting 4.

Those voting yea were: Senators Baum, Crow, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, Miller David, Pusey, Taylor, Van Patten, Warburton, Wilson, and Wooding — 22.

Those voting nay were: Senators Cole, Davis, Miller T. J., Paul, Plummer, Range, Reinhart, and Yeend — 8.

Absent or not voting: Senators McReavy, Megler, Runner, and Washburn — 4.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 220, An act for the relief of the Union Savings Bank and Trust Company, etc.

Also, Senate bill No. 289, An act to amend section 1 of an act entitled "An act establishing a board of pardons," etc.

Also, Senate bill No. 162, An act to permit farmers, gardeners and manufacturers to dispose of the products of their labors.

And the same are herewith returned. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 68, An act extending the right of eminent domain to mining or reduction work companies, and the same is sent herewith to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

Senate bill No. 202, by Senator Taylor, "An act relating to new trials in criminal cases," was read third time in full, and amended by striking out in line 2 of section 1 the words "except that in cases where the application is made on the ground of newly discovered evidence, it may be made after judgment at any time before the sentence is completely satisfied."

The following words were added after line 16 of the printed bill: "*Provided*, That in cases where the application is made on the ground of newly discovered evidence, the application may be made after judgment, and at any time before one year thereafter."

The bill then passed by the following vote: Yeas 19, nays 7, absent or not voting 8.

Those voting yea were: Senators Cole, Crow, Davis, Dorr, East-
erday, Field, High, Hill, Houghton, Keith, McReavy, Miller David,
Miller T. J., Plummer, Range, Runner, Taylor, Wilson, and Wood-
ing — 19.

Those voting nay were: Senators Frink, Harper, Lesh, Lewis,
Paul, Van Patten, and Washburn — 7.

Absent or not voting: Senators Baum, Deckebach, Hall, Megler,
Pusey, Reinhart, Warburton, and Yeend — 8.

The emergency clause failed to pass by the following vote: Yeas
16, nays 6, absent or not voting 12.

Those voting yea were: Senators Cole, Crow, Davis, Dorr, Easter-
day, Field, High, Hill, Houghton, Keith, McReavy, Miller David,
Miller T. J., Plummer, Runner, and Taylor — 16.

Those voting nay were: Senators Deckebach, Harper, Lesh,
Lewis, Paul, and Washburn — 6.

Absent or not voting: Senators Baum, Frink, Hall, Megler,
Pusey, Range, Reinhart, Van Patten, Warburton, Wilson, Wood-
ing, and Yeend — 12.

The title was amended by inserting the words "volume 2" after the figures "1326."

Senate bill No. 209, by Senator David Miller, "An act relating to arid lands," was placed on third reading.

Section 1 was read in full.

INTRODUCTION OF BILLS.

House bill No. 381, by Mr. Likins, "An act providing for cities of the third class," was read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 474, by Mr. Forbes, "An act relating to index to be kept by county auditors," was read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 461, by Mr. Phelps, "An act relating to salaries of county officers," was read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 151, by Mr. Day, "An act providing for the organization and regulation of banks," was read first time; rules suspended, read second time by title, and placed on general file.

On motion of Senator David Miller, at 10:45 o'clock P. M., the Senate adjourned until 9:30 o'clock A. M., to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

SIXTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 11, 1897. }
9:30 o'clock A. M.

President Daniels called the Senate to order at 9:30 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present.

Senator Plummer moved that the reading of the journal of yesterday be dispensed with and the journal approved.

The motion was carried by the following vote: Yeas 21, nays 6, absent or not voting 7.

Those voting yea were: Senators Cole, Davis, Easterday, Field, Hall, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, Warburton, and Yeend — 21.

Those voting nay were: Senators Deckebach, Harper, Lewis, Washburn, Wilson, and Wooding — 6.

Absent or not voting: Senators Baum, Crow, Dorr, Frink, Lesh, Pusey, and Runner — 7.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON MANUFACTURES.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred House bill No. 245, entitled "An act to establish a state board of inspection for steam boilers and for the examination and licensing of engineers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. M. FRINK, Chairman.

We concur in this report:

JOHN McREAVY.

F. C. HARPER.

The report was adopted.

REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bills Nos. 169, 286, 328, 369, 388, 540, 541, 547, 548, 553, 555 and 583, have been unable to consider the same, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

All members of the committee concur.

REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 308, entitled "An act relating to the incorporation and regulation of mining companies," have had the same under considera-

tion, and we respectfully report the same back to the Senate, with the recommendation that it go on general file.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report:

J. A. DAVIS.

V. A. PUSEY

D. E. LESH.

REPORT OF COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 311, entitled "An act providing for the proper charge of rebates allowed on taxes, and the proper disposition of penalties and interest collected on delinquent taxes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report:

OLIVER HALL.

DAVID MILLER.

F. C. HARPER.

J. W. RANGE.

W. H. PLUMMER.

REPORT OF COMMITTEE ON IRRIGATION AND ARID LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred House bill No. 248, entitled "An act to amend an amendment to an act providing for the organization and government of irrigation districts and the sale of bonds arising therefrom, etc.," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report:

F. M. BAUM.

JOHN I. YEEND.

D. E. LESH.

L. C. CROW.

REPORTS OF COMMITTEE ON EDUCATIONAL INSTITUTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House bill No. 334, entitled "An act to aid in the support of the

University of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report:

DANIEL PAUL.

J. A. COLE.

J. C. VAN PATTEN.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House bill No. 322, entitled "An act establishing the state museum at the University of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report:

DANIEL PAUL.

J. A. COLE.

J. C. VAN PATTEN.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the following bills, viz.: J. Benson Starr, desk supplies, \$85.80; Olympia Light and Power Company, lamps, \$5; Chas. Arnold, 3 cords of wood, \$7.50; W. H. Tucker, sundries, \$1.10; Mrs. Cain, laundry work, \$2.25; H. F. Docherty, cartage, \$3.50; Mills & Cowles, lamps, \$2.80; Oscar Ingram, rent of typewriter, \$10; have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed.

Respectfully submitted.

J. W. RANGE, Chairman.

We concur in this report:

R. C. WILSON.

J. A. DAVIS.

The report was adopted.

Senator Easterday moved that the vote by which Senate bill No. 15, "An act abolishing municipal courts," was passed be reconsidered.

The motion was lost by the following vote: Yeas 8, nays 19, absent or not voting 7.

Those voting yea were: Senators Davis, Deckebach, Harper, Lewis, Paul, Range, Washburn, and Wooding — 8.

Those voting nay were: Senators Cole, Dorr, Easterday, Field, Hall, High, Hill, Houghton, Keith, McReavy, Megler, Miller

David, Plummer, Reinhart, Taylor, Van Patten, Warburton, Wilson, and Yeend — 19.

Absent or not voting: Senators Baum, Crow, Frink, Lesh, Miller T. J., Pusey, and Runner — 7.

The conference committee on Senate bill No. 106, submitted the following report:

REPORT OF FREE CONFERENCE COMMITTEE.

We, your committee on free conference to consider Senate bill No. 106, would respectfully report that the title be amended to read "and constitutional state officers" at end of title, and in section 1, line (3) three of engrossed bill insert, after the word "legislature," the words "and constitutional state officers."

J. A. COLE,
J. W. RANGE,
V. A. PUSEY,
THOS. J. MILLER,
JOHN WOODING,

On part of Senate.

C. P. BUSH,
F. R. BAKER,
B. S. SCOTT,
J. C. MERRIFIELD,
ROBT. GERRY,

On part of House.

On motion of Senator Dorr, the report was recommitted to the committee with the request that it sit again.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 113, entitled "An act providing for the dissolution of municipal corporations of the third and fourth classes, and declaring an emergency," and the same is herewith for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 113.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 29, by Mr. Marshall, providing for the procurements by bids of suitable apartments for state offices and bids accompanying same.

And the same is herewith returned. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 273, by Appropriation Committee, An act making appropriations for sundry civil expenses of the state government, etc., as amended.

And the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

The secretary read the following communication from the governor.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, WASH., March 11, 1897.

President of the Senate, Senate Chamber, Olympia, Wash.:

SIR — Governor Rogers has approved Senate bill No. 56, An act making it unlawful to counterfeit trade marks.

Also, Senate bill No. 9, An act providing for the sale of real property to foreclose liens created for local improvements in cities of the first class, declaring that such liens shall be a first lien, prohibiting vexatious litigation, providing for the confirmation of assessment rolls, the redemption from sale, and declaring an emergency.

Also, Senate bill No. 148, An act relating to the sale of property under execution and decrees, and the confirmation of sheriff's sales, and repealing sections 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the redemption of real estate sold on decree of foreclosure and on execution.

Also, Senate joint resolution No. 25, a resolution relating to Forest Reserve Proclamation, issued by President Cleveland on February 22, 1897.

Very respectfully, J. E. BALLAINE, Private Secretary.

Senator Lewis moved that the vote by which Senate bill No. 243, "An act relating to justices of the peace and constables in cities having more than twenty thousand inhabitants, and fixing their number and salaries," was passed, be reconsidered.

On motion of Senator McReavy, the motion was indefinitely postponed.

Senate bill No. 157, by Senator McReavy: An act for the relief of W. E. Boone.

The bill was read the third time by sections.

On motion of Senator Plummer, the rules were suspended, the bill considered engrossed, and placed on its final passage.

It was then passed by the following vote: Yeas 24, nays 2, absent or not voting 8.

Those voting yea were: Senators Cole, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Miller David, Miller T. J., Paul, Plummer, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend—24.

Those voting nay were: Senators Reinhart and Warburton—2.

Absent or not voting: Senators Baum, Crow, Houghton, Lesh, Megler, Pusey, Range, and Runner—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has instructed the chief clerk of the House to respectfully inform the Senate that the accompanying bill, to wit, Senate bill No. 51, by Senator Hill, transmitted to the Senate on March 10, 1897, is the identical Senate bill No. 51 passed by the House on the said 10th day of March, 1897; and the same is herewith.

S. P. CARUSI, Chief Clerk.

On motion of Senator T. J. Miller, the Senate resolved itself into the committee of the whole to consider Senate bill No. 209, by Senator David Miller, An act accepting the terms of the act of congress approved August 18, 1894, and the act amendatory thereof providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making an appropriation therefor, and declaring an emergency.

The bill was considered in the committee, Senator Crow in the chair, and reported back to the Senate with the following amendments: Strike out all of section 6, beginning with the word "provided," in line 4 of the printed bill, and ending with the word "contract," in line 11 of the printed bill.

Strike out the word "further," in line 11 of the printed bill.

In section 10, strike out the figures "10" and "11," in line 23 of the printed bill, and insert in lieu thereof the figures "8" and "9" respectively.

In section 11, strike out all of line 9 of the printed bill after the word "rights," and all of line 10 of the printed bill.

In section 23 of the printed bill, insert the word "lawfully," after the word "agreements," in line 1. Insert the word "lawful" after the word "such," in line 6, and strike out the word "agreement," in the same line, and insert in lieu thereof the word "agreements."

In section 25 of the printed bill, strike out the first thirteen words of line 1.

Senator Plummer moved that Senate bill No. 170, An act relating to depositions, be placed on the calendar after Senate bill No. 209 is disposed of.

The motion was lost.

Senator Wilson moved that the report of the committee of the whole on the preceding Senate bill No. 209 be adopted.

Senator Lewis moved as an amendment that the bill be indefinitely postponed.

The amendment was lost by the following vote: Yeas 6, nays 20, absent or not voting 8.

Those voting yea were: Senators Cole, Davis, Lewis, Range, Van Patten, and Yeend — 6.

Those voting nay were: Senators Baum, Crow, Deckebach, Dorr, Easterday, Field, Frink, High, Houghton, Keith, Lesh, Megler, Miller David, Paul, Reinhart, Runner, Warburton, Washburn, Wilson, and Wooding — 20.

Absent or not voting: Senators Hall, Harper, Hill, McReavy, Miller T. J., Plummer, Pusey, and Taylor — 8.

The original motion was carried.

On motion of Senator David Miller, the rules were suspended, the reading of the bill in the committee of the whole considered the third reading in the Senate, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 22, nays 6, absent or not voting 6.

Those voting yea were: Senators Baum, Crow, Deckebach, Dorr, Easterday, Field, Frink, High, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Paul, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, and Wooding — 22.

Those voting nay were: Senators Cole, Davis, Lewis, Range, Van Patten, and Yeend — 6.

Absent or not voting: Senators Hall, Harper, Hill, Miller T. J., Plummer, and Pusey — 6.

The emergency clause failed to pass by the following vote: Yeas 12, nays 7, absent or not voting 15.

Those voting yea were: Senators Baum, Deckebach, Easterday, Field, Frink, Houghton, McReavy, Miller David, Reinhart, Warburton, Washburn, and Wooding — 12.

Those voting nay were: Senators Cole, Davis, Hill, Keith, Range, Van Patten, and Yeend—7.

Absent or not voting: Senators Crow, Dorr, Hall, Harper, High, Lesh, Lewis, Megler, Miller T. J., Paul, Plummer, Pusey, Runner, Taylor, and Wilson—15.

On motion of Senator Warburton, the title was amended by striking out the words “and declaring an emergency.”

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 194, entitled “An act to amend an act relating to public lands, and declaring an emergency,” have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 194.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 401, by Mr. Jory, An act to prevent the confiscation, by means of fines and otherwise, of the wages of minors employed by firms and corporations, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 305, by Mr. Richmond, An act relating to prohibiting bulls from running at large, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 611, by Mr. de Mattos: An act relating to justices of the peace and constables in incorporated cities, etc., and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The Speaker of the House has signed House bill No. 234, entitled "An act for the protection of game animals and birds and song birds, etc., and repealing sections 247 to 272, inclusive, of the Penal Code of the State of Washington," and the same is herewith transmitted to the Senate for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill, No. 234.

Unanimous consent was given to take up Senate concurrent resolution No. 29: Relating to the state offices.

On motion of Senator McReavy, the resolution was amended by striking out the words "capitol commission" and inserting, in lieu thereof, the words "governor and secretary of state."

The resolution was adopted.

Senate bill No. 126: An act for the relief of the Ilwaco Railway and Navigation Company.

The bill was read the third time by sections.

The bill was then placed on its final passage, and passed by the following vote: Yeas 21, nay 1, absent or not voting 12.

Those voting yea were: Senators Baum, Cole, Deckebach, Dorr, Easterday, Field, Frink, Houghton, Keith, Lewis, Megler, Plummer, Pusey, Rinehart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 21.

Senator McReavy voted nay.

Absent or not voting: Senators Crow, Davis, Hall, Harper, High, Hill, Lesh, Miller David, Miller T. J., Paul, Range, and Yeend — 12.

The emergency clause was passed by the following vote: Yeas 27, nay 1, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Deckebach, Dorr, Easterday, Field, Frink, Hall, Hill, Houghton, Keith, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 27.

Senator McReavy voted nay.

Absent or not voting: Senators Crow, Davis, Harper, High, Lesh, and Yeend — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The free conference committee on Senate bill No. 106 submitted the following report:

REPORT OF FREE CONFERENCE COMMITTEE.

We, your committee of free conference to consider Senate bill No. 106, respectfully report that the title be amended to read "and the state offices located at the capital," at the end of title; and in line 8 of section 1 of engrossed bill insert, after the word "legislature," the words "and the state offices located at the capital."

Respectfully submitted.

J. A. COLE, Chairman,
JOHN WOODING,
V. A. PUSEY,
J. W. RANGE,
THOS. J. MILLER,
Of the Senate.

B. S. SCOTT,
ROBERT GERRY,
C. P. BUSH,
F. R. BAKER,
J. C. MERRIFIELD,
Of the House.

Senator Cole moved that the report be adopted.

The motion was carried by the following vote: Yeas 31, nays 1, absent or not voting 2.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend—31.

Senator Lewis voted nay.

Absent or not voting: Senators Baum and Davis—2.

On motion of Senator Deckebach, the rules were suspended, and the Senate took up Senate bill No. 62, by the Judiciary Committee (substitute for Senate bill No. 62), An act defining county boundaries.

The bill was read the third time by sections.

Senator Deckebach moved to amend section 3, by striking out the words "one-half of mile," in line 5 of the printed bill, and inserting in lieu thereof the words "two miles."

The amendment was carried.

On motion of Senator Easterday, section 2 was amended by inserting after the word "county," in line 2 of the printed bill, the words "a party."

On motion of Senator Easterday, section 9 was stricken out.

The bill was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Reinhart, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend—27.

Nays: None.

Absent or not voting: Senators Baum, Hall, Lesh, Miller David, Range, Runner, and Taylor—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 411, by Mr. Kittinger: An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, cemeteries, parks and any combinations thereof, with all land and property required therefor, providing for payment therefor, repealing an act entitled "An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency," approved February 10, 1893, and declaring an emergency.

The bill was read the third time by sections.

Senator Washburn offered the following amendment to section 1: Strike out all of the section after the word "thereon," in line 17 of the printed bill.

The amendment was adopted.

Senator Washburn offered the following amendment to section 2: In section 2, strike out the word "cemeteries," in line 4 of the printed bill; and also, all of line 5, up to and including the word "therefor." In line 7 of the printed bill, strike out the words "or in cases of;" and also, all of line 8, up to and including the word "therefor." In line 13 of the printed bill, strike out the words "cemeteries or parks;" and also, all of line 14 of the printed bill, up to and including the word "thereof." In line 17, strike out the words "or location and boundaries of such cemeteries or parks." In line 18, strike out all after the word "adopted;" and

also, all of line 19, up to and including the word "approved." In line 22, strike out all after the word "adopted."

The amendment was adopted.

Senator Easterday offered the following amendment to section 2: In line 37, strike out all after the word "town," and all of line 38 up to and including the word "town."

The bill was then placed on its final passage, and passed by the following vote: Yeas 29, nay 1, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding—29.

Senator Crow voted nay.

Absent or not voting: Senators Davis, Lesh, Miller David, and Yeend—4.

The emergency clause was passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Paul, Plummer, Pusey, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding—29.

Nays: None.

Absent or not voting: Senators Lesh, Miller David, Miller T. J., Runner, and Yeend—5.

On motion of Senator Warburton, the title was amended by striking out the words "cemeteries, parks and any combinations thereof."

On motion of Senator Deckebach, the rules were suspended, and the Committee on Enrolled Bills was authorized to employ all the help needed in enrolling bills to-day.

The conference committee on Senate bill No. 290 submitted the following report:

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

To the Senate and House of Representatives:

We, your committee on conference on Senate bill No. 290, relating to publication of notices of sheriff's sales, have been unable to agree, Senators Crow, Taylor and Wilson, and Mr. Guie favoring the designation of the newspaper by the party paying for the advertising, and Messrs. Gerry

and Couch favoring the designation of the newspaper by the sheriff. We recommend that a committee of free conference be appointed.

Respectfully submitted.

L. C. CROW,
E. W. TAYLOR,
R. C. WILSON,
On part of Senate.

J. O. COUCH,
ROBERT GERRY,
E. H. GUIE,
On part of House.

Senator Wilson moved that a free conference committee be appointed on the foregoing Senate bill No. 290.

The motion was carried, and the president appointed the members of the conference committee as such committee.

On motion of Senator Plummer, at 12 o'clock m., the Senate adjourned until 1:30 o'clock p. m.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:30 o'clock p. m., pursuant to adjournment.

The secretary called the roll; all members being present.

The secretary read the following reports of standing committees:

REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 217, entitled "An act to protect employes, and guarantee their right to belong to labor organizations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

I concur in this report:

W. B. FIELD.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 51, entitled "An act providing for the constitutional amendment

conferring the elective franchise on women," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report.

F. G. DECKEBACH.

The preceding Senate bill No. 51, having been correctly enrolled, was signed by the president.

On motion of Senator Easterday, the portion of the record of yesterday, containing the signing of said Senate bill No. 51 by the president, was ordered expunged.

Senator Plummer moved that the Senate refuse to concur in the House amendments to Senate bill No. 273, "An act making appropriations for sundry civil expense of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899."

Senator Wilson moved as an amendment, that the amendments to the bill be considered separately.

The amendment was lost, and the original motion prevailed.

The following resolution was introduced by Senator McReavy:

Resolved, That the secretary, assistant secretary and minute clerk be allowed four days after the close of the session to complete their duties.

The resolution was adopted.

The following resolution was introduced by Senator Range:

Resolved, That Mr. J. D. Hannegan and Miss Ella J. Munson be allowed five days each in which to complete the Senate journal.

The resolution was adopted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 409, by Mr. Witt: An act relating to making an appropriation for certain deficiencies of the previous fiscal term, and for other purposes, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. SPEAKER:

The House has passed House bill No. 177, by Mr. C. Smith: An act relating to an act to supply the codes to justices of the peace and making an appropriation therefor, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 194, An act to amend an act relating to public lands, and declaring an emergency, and the same is herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 411. An act authorizing cities to order public improvements; and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 51, An act providing for the constitutional amendment conferring the elective franchise on women; and the same is herewith.

S. P. CARUSI, Chief Clerk.

GENERAL FILE.

House bill No. 503, by Mr. Way: An act in relation to assessments for local improvements, providing for the enforcement thereof, and the refunding of warrants issued therefor.

The bill was read the third time by sections.

Senator Easterday offered the following amendment to section 14: In line 7 of the printed bill, after the word "except," insert the words "as to stay of execution, appraisement and."

The amendment was adopted.

It was then placed on its final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Rinehart, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 29.

Nays: None.

Absent or not voting: Senators Davis, Dorr, Houghton, Runner, and Yeend — 5.

The emergency clause was passed by the following vote: Yeas 26, nays 3, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Easterday, Field, Frink, Hall, Harper, High, Keith, Lesh,

Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, Wilson, and Wooding — 26.

Those voting nay were: Senators Dorr, Miller David, and Taylor — 3.

Absent or not voting: Senators Davis, Hill, Houghton, Runner, and Yeend — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The free conference committee on House bill No. 417 submitted the following report:

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your committee on railroad free conference, to whom was referred House bill No. 417, as amended by the Senate, entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

In section 1 of the engrossed bill, after the word "effect" insert the words "on the Northern Pacific Railway between the same points in the State of Washington."

In section 10 of the engrossed bill, strike out all of that portion of the section commencing with the word "provided," and insert in lieu thereof the following: "*Provided*, That nothing herein contained shall prevent the classification of freights as to kind, value and quantity, and the basing of rates thereon."

Respectfully submitted.

We concur in this report:

F. G. DECKEBACH, Chairman.

C. W. DORR.

DAVID MILLER.

L. C. CROW.

W. E. RUNNER.

The report was adopted by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith,

Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 31.

Nays: None.

Absent or not voting: Senators Davis, Houghton, and Lesh—3.

Senator Taylor moved that a conference committee of three members be appointed to confer with a like committee from the House in regard to Senate concurrent resolution No. 21, relative to the printing of the session laws.

The motion was carried.

Senator Dorr moved that the Senate take up House bill No. 472, An act to establish a general uniform system of public schools in the State of Washington.

The motion was lost.

House bill No. 398, by Mr. Way, "An act to provide for a constitutional amendment, relating to taxation," was read in full, and passed by the following vote: Yeas 28, nays 4, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Taylor, Van Patten, Warburton, Wooding, and Yeend — 28.

Those voting nay were: Senators Easterday, Reinhart, Washburn, and Wilson — 4.

Absent or not voting: Senators Lesh and Miller David — 2.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 393, by Mr. P. M. Smith, "An act to authorize the sale of waterworks, gas or electric light works by certain cities," was read third time in full, and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Baum, Houghton, Miller David, and Pusey — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Warburton's motion to appoint a conference committee of five members of the Senate, to confer with a like committee from the House, regarding amendments to the appropriation bill, was adopted.

The Senate voted to recede from Senate amendments to House bill No. 126.

House bill No. 182, by Mr. Moore, "An act to provide for the establishment of a state wagon road from Lyle, Klickitat county, to Washougal, Clarke county," was read third time in full, and passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Taylor, Washburn, Wilson, and Wooding — 25.

Those voting nay were: Senators Reinhart and Yeend — 2.

Absent or not voting: Senators Deckebach, Hill, Miller David, Pusey, Runner, Van Patten, and Warburton — 7.

The emergency clause was then passed by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Baum, Crow, Davis, Deckebach, Easterday, Field, Frink, Hall, High, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Warburton, Washburn, Wilson, and Wooding — 24.

Senator Yeend voted nay.

Absent or not voting: Senators Cole, Dorr, Harper, Hill, Houghton, Lewis, Pusey, Runner, and Van Patten — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has refused to pass the emergency clause in House bill No. 126, and requests the Senate to recede from its amendment.

Also, the House has refused to recede from its amendments to appropriation bill, to wit, Senate bill No. 263, and asks for a conference committee on same.

Also, the House has appointed the following named gentlemen, to wit: Messrs. Witt, Likins, Powell, Scott, C. Smith, C. P. Bush, and Rader, as the committee of the House.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 518, by Mr. Mitchell, An act relating to the relief of the Olympia Door and Lumber Company, J. D. Miller, J. C. Horr, Westside Mill Company, et al.; and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 497, by Mr. Moore, An act relating to public cemeteries.

Also, House bill No. 208, by Mr. Williams, An act relating to jury trials, etc.

And the same are herewith transmitted. S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 49, by Senator Plummer, An act for the purpose of amending section 1662 of the 2d volume of Hill's Annotated Code of Washington; and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 152, by Senator Taylor: An act to regulate the sanitary construction of house drainage and plumbing, in cities of the first class, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

House bill No. 459, by Mr. Phelps, "An act providing for a state road from Marcus, Stevens county, to Marble Mount, Skagit county," was read the third time in full, and passed by the following vote: Yeas 26, nays 5, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Runner, Warburton, Washburn, Wilson, Wooding, and Yeend

Those voting nay were: Senators Davis, Hill, Lewis, Reinhart, and Van Patten — 5.

Absent or not voting: Senators Easterday, Miller David, and Taylor — 3.

The emergency clause was then passed by the following vote: Yeas 27, nays 3, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Plummer, Pusey, Range, Reinhart, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Those voting nay were: Senators Davis, Hill, and Van Patten — 3.

Absent or not voting: Senators Easterday, Houghton, Miller David, and Paul — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 428, by Mr. Kincaid, "An act establishing a state road commission," was read the third time in full, and passed by the following vote: Yeas 27, nays 4, absent or not voting 3.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Taylor, Warburton, Washburn, Wilson, Wooding and Yeend — 27.

Those voting nay were: Senators Hill, Range, Reinhart, and Van Patten — 4.

Absent or not voting: Senators Hall, Miller David, and Runner — 3.

The emergency clause was then passed by the following vote: Yeas 27, nays 3, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Those voting nay were: Senators Hill, Range, and Reinhart — 3.

Absent or not voting: Senators Miller David, Runner, Taylor, and Van Patten — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 307, by Mr. Koehler, "An act to provide for the establishment of a state road from Grand Forks, Chehalis county, to La Push, Clallam county," was read the third time in full, and passed by the following vote: Yeas 22, nays 5, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Field, Frink, Hall, Harper, High, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Warburton, Washburn, Wilson, and Wooding — 22.

Those voting nay were: Senators Davis, Hill, Range, Reinhart, and Van Patten — 5.

Absent or not voting: Senators Easterday, Lewis, Miller David, Pusey, Runner, Taylor, and Yeend — 7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 66, by Mr. A. S. Bush, "An act providing for the establishment of a state road from Montesano to a point on the Columbia river near Brookfield," was read the third time in full, and amended by striking out in the title the words "Knapton or Hungry Harbor," and inserting the words "Brookfield, Wahkiakum county." Line 7 of section 2 was stricken out, and the words "Brookfield, Wahkiakum county," inserted.

The bill then passed by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Dorr, Easterday, Field, Hall, Harper, High, Keith, Lesh, McReavy, Megler, Miller T. J., Paul, Plummer, Warburton, Washburn, Wilson, and Wooding — 21.

Those voting nay were: Senators Davis, Frink, Hill, Range, Reinhart, Van Patten, and Yeend — 7.

Absent or not voting: Senators Houghton, Lewis, Miller David, Pusey, Runner, and Taylor — 6.

There being no objection, the title of the bill, as amended, was ordered to stand as the title of the act.

House bill No. 43, by Mr. Warner, "An act for the relief of Snohomish county," was read the third time in full, and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Reinhart, Van Patten, Warburton, Washburn, Wilson, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Deckebach, Houghton, Keith, Lesh, Lewis, Miller David, Pusey, Runner, Taylor, and Wooding — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 364, by Mr. Roberts, "An act to abolish certain boards of trustees," was read third time in full, and amended by striking out all after the second word "insane," in line 2 of section 1 of the printed bill, to and including the word "youth," in line 3 of same section.

In line 3, section 4, the words "Washington school for defective youth" were stricken out.

The following amendment was offered by Senator Crow: Amend section 5 by striking out the first sentence, and insert "the lieutenant governor shall be the auditor of public institutions, and in the event of his resignation or death, the governor shall appoint his successor to hold office for the unexpired term."

The amendment was indefinitely postponed by the following vote: Yeas 19, nays 14, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Hall, High, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Taylor, Van Patten, Wilson, and Yeend — 19.

Those voting nay were: Senators Crow, Deckebach, Field, Frink, Harper, Hill, Lesh, Lewis, Pusey, Reinhart, Runner, Warburton, Washburn, and Wooding — 14.

Absent or not voting: Senator Dorr.

In line 3, section 1, the words "Washington soldiers' home" were stricken out.

In line 4, section 4, the words "and the Washington soldiers' home" were stricken out.

Senator Frink moved that the bill be indefinitely postponed.

The motion was lost by the following vote: Yeas 16, nays 18, absent or not voting 0.

Those voting yea were: Senators Crow, Deckebach, Dorr, Frink,

Hall, Harper, Lesh, Lewis, Megler, Pusey, Runner, Van Patten, Warburton, Washburn, Wilson, and Wooding—16.

Those voting nay were: Senators Baum, Cole, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, and Yeend—18.

Absent or not voting: None.

Senator David Miller moved that the amendment striking out the words “Washington soldiers’ home,” in section 1 and in section 4, be reconsidered.

The motion prevailed by the following vote: Yeas 18, nays 15, absent or not voting 1.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, High, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, and Yeend—18.

Those voting nay were: Senators Crow, Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Runner, Warburton, Washburn, Wilson, and Wooding—15.

Absent or not voting: Senator Hill.

The amendment to strike out the words “Washington soldiers’ home” was lost.

The bill was then passed by the following vote: Yeas 18, nays 16, absent or not voting 0.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, High, Hill, Houghton, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, and Yeend—18.

Those voting nay were: Senators Crow, Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Pusey, Runner, Van Patten, Warburton, Washburn, Wilson, and Wooding—16.

Absent or not voting: None.

The emergency clause failed to pass by the following vote: Yeas 18, nays 14, absent or not voting 2.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, High, Hill, Keith, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, and Yeend—18.

Those voting nay were: Senators Crow, Deckebach, Dorr, Frink, Hall, Harper, Lesh, Lewis, Megler, Runner, Warburton, Washburn, Wilson, and Wooding—14.

Absent or not voting: Senators Houghton and Pusey — 2.

The title was amended by striking out the words “Washington school for defective youth,” and the words “and declaring an emergency,” and the title, as so amended, was agreed to.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 516, by Mr. Fritz, An act to prevent the intimidation of voters.

Also, House bill No. 608, by Judiciary Committee, An act to provide for the further protection of the ballot, and prescribing a penalty, etc.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 250, by Senator David Miller, An act for the relief of Geo. W. Babcock.

Also, Senate bill No. 171, by Senator Plummer, An act relating to negotiable papers.

Also, Senate bill No. 204, by Senator Crow, An act granting to judgment debtors the right of possession, rents, etc., of real estate, under execution during the period of redemption, etc.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 252, by Senator T. J. Miller: An act relating to the disposition of moneys received from the United States for the support of the soldiers' home of the State of Washington, etc.

Also, Senate bill No. 231, by Committee on State Penal and Reformatory Institutions: An act to amend section 20 of an act entitled “An act to define, regulate and govern the state penitentiary, and declaring an emergency.”

Also, Senate bill No. 268, by Senator Baum: An act to prevent the destruction, mutilation, etc., of land marks, etc.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 579, by Mr. Merrifield: An act regulating the drainage of agricultural and farm lands.

Also, House bill No. 360, by Mr. Kittinger: An act relating to the time of commencing civil actions, etc.

Also, House bill No. 361, by Mr. Kittinger: An act amending section 1 of an act entitled "An act relating to and authorizing the collection of assessments," etc.

Also, House bill No. 532, by Mr. Phelps: An act for the relief of William Day.

And the same are herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has concurred in the amendments by the conference committee on Senate bill No. 106; and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 15, by Senator Easterday, An act to repeal an act entitled "An act creating and establishing municipal courts in cities of the State of Washington having more than twenty thousand inhabitants," etc.; and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

Senate bill No. 242, by Senator T. J. Miller, "For the relief of the Capital City Abstract Company," was read the third time in full, and amended by adding the following to the end of section 1: "and the state auditor be authorized to draw his warrant for the amount, and the treasurer is hereby authorized to pay the same."

The bill was then passed by the following vote: Yeas 21, nay 1, absent or not voting 12.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, Harper, Hill, Keith, McReavy, Megler, Miller David, Miller T. J., Plummer, Range, Van Patten, Warburton, Washburn, and Wilson — 21.

Senator Reinhart voted nay.

Absent or not voting: Senators Deckebach, Frink, High, Houghton, Lesh, Lewis, Paul, Pusey, Runner, Taylor, Wooding, and Yeend — 12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 248, "An act for the relief of Moffatt Bros.," was read the third time in full, and amended by adding a new section, as follows:

SEC. 3. That the state capitol commission shall see that all legal claims for labor and materials furnished said Moffatt Bros. in and about said capitol foundation are paid out of the moneys appropriated hereby before any warrants are issued to Moffatt Bros.

The bill then passed by the following vote: Yeas 22, nay 6, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Field, Frink, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Taylor, and Washburn — 22.

Those voting nay were: Senators Easterday, Lewis, Range, Reinhart, Van Patten, and Wilson — 6.

Absent or not voting: Senators Hall, Harper, Pusey, Warburton, Wooding, and Yeend — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At the request of Senator Lewis, the following protest was entered upon the minutes:

I protest against the action of the Senate in passing Senate bill No. 248, For the relief of Moffat Bros., because, in my opinion, it is illegal and a violation of the constitution.

FRANK P. LEWIS.

House bill No. 302, by Mr. Williams, "An act to regulate the leasing of mineral lands," was read the third time in full and amended by inserting the words "except coal" after the word "minerals" in line 3, section 1 of the printed bill.

The bill was then passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Crow, Easterday, Field, Frink, Harper, High, Hill, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, and Wilson — 24.

Nays: None.

Absent or not voting: Senators Davis, Deckebach, Dorr, Hall, Houghton, Lewis, Pusey, Warburton, Wooding, and Yeend — 10.

The emergency clause was then passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul,

Plummer, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, Wilson, and Wooding — 30.

Nays: None.

Absent or not voting: Senators Dorr, Easterday, Lewis, and Yeend — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following message:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 96, by Senator Taylor, An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington.

Also, Senate bill No. 236, by Senator High, An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, etc.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

The president announced the appointment of the following senators as Senate members of conference committee on the general appropriation bill: Senators High, Warburton, Dorr, Hill, Lesh, Lewis and Crow.

On motion of Senator Van Patten, at 5:30 o'clock P. M., the Senate adjourned until 7:30 o'clock P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 o'clock P. M., pursuant to adjournment.

The secretary called the roll; all members being present.

GENERAL FILE.

House bill No. 209, by Mr. Williams: An act relative to recognizances, stipulations, bonds and undertakings, etc.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Frink, Hall, Harper, High, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Deckebach, Field, Hill, Houghton, Lesh, Pusey, and Runner — 7.

The emergency clause was passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Easterday, Frink, Hall, Harper, High, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 26.

Senator Hill voted nay.

Absent or not voting: Senators Crow, Deckebach, Field, Houghton, Lesh, Pusey, and Runner — 7.

The title was amended to read as follows: An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense and costs of the principal or principals on the same, and repealing an act of the legislature of the State of Washington, entitled "An act relating to official bonds of state, county, city, town and precinct officers," approved March 20, 1895, and all other inconsistent acts, and declaring an emergency.

House bill No. 418, by the Insurance Committee: An act to regulate and control insurance companies, corporations and associations in this state, etc.

The bill was read the third time by sections.

Senator Megler moved that section 18 of the printed bill be stricken out.

The motion was lost.

Senator Megler offered the following amendment to section 18 of the printed bill: Add to section 1, "*Provided*, That this shall not apply to counties where there is no agent to write large policies."

The amendment was adopted.

The bill was then placed on its final passage, and passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Harper, Hill, Keith, Lesh, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Warburton, Washburn, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Hall, High, Houghton, Lewis, Runner, Taylor, Van Patten, and Wilson — 8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 263, entitled "An act to provide for the assessment and collection of taxes in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 263.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 15, entitled "An act to repeal an act entitled 'An act creating and establishing municipal courts in cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks therefor, and declaring an emergency,' approved February 28, 1891, and all acts amendatory thereof, and abolishing the courts and offices thereby created," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 15.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 49, entitled "An act to amend section 1662 of the second volume of Hill's Annotated Codes of the State of Washington, in regard to the discovery of facts and documents by interrogatories," have had the same

under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 49.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House concurrent resolution No. 29, by Mr. Marshall, said Senate amendment striking out the words "state capitol commission," and inserting instead "governor and secretary of state," and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

I am instructed by the House to ask that the Senate return to it House bill No. 371, in relation to fees in the secretary of state's office; said bill passed both Houses, and a free conference committee made a certain report which was adopted by both Houses.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 233, by Judiciary Committee, An act to amend section 1443 of the Code of Washington, the same being section 955 of the second volume of Hill's Annotated Codes of Washington, etc.; and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 62, substitute for Senate bill No. 62, by Judiciary Committee, An act relating to county boundaries; and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 97, by Senator Taylor, An act relating to claims against the estates of infants, insane and incompetent persons; and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 208, by Senator T. J. Miller. An act relating to taxes and funds of municipal corporations having less than twenty thousand inhabitants, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 398, An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to taxation, and the same is herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bill No. 398.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 445, by Mr. Lusher, An act relating to the survey and assessment of drained or meadow lands, that were once under water, etc., and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 411, An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate water works, etc.," and the same is herewith returned for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill No. 411.

REPORT OF COMMITTEE ON CONFERENCE.

MR. PRESIDENT:

We, your committee on conference, to whom was referred Senate bill No. 273, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899," have had the same under consideration, and we respectfully report the same back to the Senate, with the statement that we have been unable to agree with the House committee, and respectfully request the appointment of a committee of free conference.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report:

C. W. DORR.

L. C. CROW.

D. E. LESH.

FRANK P. LEWIS.

JOSEPH HILL.

On motion of Senator Plummer, the same committee was made the committee on free conference on the preceding, Senate bill No. 273.

On motion of Senator David Miller, the Senate took up House bill No. 318: An act providing for the disposition of certain funds collected for road purposes from the property subsequently included within the corporate limits of any city or town, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 24, nays 5, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Deckebach, Easterday, Field, Frink, Hall, Harper, High, Hill, Keith, Lewis, McReavy, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, Wooding, and Yeend — 24.

Those voting nay were: Senators Crow, Davis, Dorr, Paul, and Runner — 5.

Absent or not voting: Senators Houghton, Lesh, Megler, Taylor, and Wilson — 5.

The emergency clause was passed by the following vote: Yeas 25, nays 3, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Crow, Deckebach, Field, Frink, Harper, High, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Reinhart, Van Patten, Warburton, Washburn, Wooding, and Yeend — 25.

Those voting nay were: Senators Davis, Dorr, and Paul — 3.

Absent or not voting: Senators Easterday, Hall, Houghton, Runner, Taylor, and Wilson — 6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following resolution was introduced by Senator Cole:

WHEREAS, The secretary and assistant and others are to remain to complete the records of the Senate: therefore, be it

Resolved, That the janitor be retained during said time for the purpose keeping fires, etc.

The resolution was adopted.

On motion of Senator T. J. Miller, the Senate took up House bill No. 620 (substitute for House bill No. 434): An act to expe-

dite the completion of the state capitol building and making an appropriation therefor.

On motion of Senator T. J. Miller, the Senate resolved itself into the committee of the whole to consider the preceding House bill No. 620, and also House bill No. 310: An act to establish and maintain a fish hatchery at the mouth of the Chehalis river or one of its tributaries, and appropriating funds therefor.

Also, House bill No. 355: An act for the relief of W. B. Davey, of the state normal school of New Whatcom, and other creditors, and making an appropriation therefor.

Also, House bill No. 162: An act to secure to the public the continued use of natural oyster beds, and declaring an emergency.

Also, House bill No. 485: An act to provide for the establishment and maintenance of a state road along the bank of the Columbia river from the town of Wenatchee, in Kittitas county, thence northerly on the west bank of said Columbia river via the bridge of said Wenatchee river (the same formerly being a ferry) to the mouth of the Methow river; thence along the west bank of the Methow river to the mouth of Twisp river, in the county of Okanogan.

Senator Dorr was called into the chair to preside over the committee.

The committee of the whole arose to receive the following report of the free conference committee on Senate bill No. 290.

REPORT OF COMMITTEE ON FREE CONFERENCE.

OLYMPIA, WASH., March 11, 1897.

To the Senate and House of Representatives:

We, your committee on free conference, on Senate bill No. 290, Relating to publication of notices of sales, respectfully report a substitute for the bill and recommend that it do pass.

The bill is submitted herewith.

Very respectfully,

R. C. WILSON,
E. W. TAYLOR,
L. C. CROW.
Of the Senate.
J. O. COUCH,
ROBT. GERRY,
E. H. GULE,
Of the House.

On motion of Senator Wilson, the report was adopted, and the

substitute was read the first time; the rules suspended, read the second and third times, and placed on its final passage.

It was then passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Easterday, Field, Frink, Hall, Harper, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Reinhart, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Crow, Dorr, High, Hill, Lesh, Pusey, Runner, and Warburton — 8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 15: An act to repeal an act creating and establishing municipal courts, etc.

Also, Senate bill No. 49: An act to amend section 1662 of volume 2 of Hill's Annotated Codes of Washington.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 393: An act authorizing cities and towns which have purchased or constructed water works, etc., to lease or sell same, etc.

Also, House bill No. 126: An act for the relief of the Ilwaco railway, etc.

Also, House bill No. 43: An act for the relief of Snohomish county.

Also, House bill No. 66: An act providing for the survey and location of a wagon road and public highway from a point near Montesano, in the county of Chehalis, etc.

And the same are herewith for the signature of the president.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bills Nos. 393, 126, 43 and 66.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 209, An act allowing corporations to become surety for bonds of officers, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 302, An act relating to leasing of mineral lands, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 209, by Senator David Miller: An act providing for the reclamation of arid lands.

Also, Senate bill No. 288, by Conference Committee: Fixing the fees of secretary of state, etc.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

On motion of Senator Wilson, the Senate again resolved itself into the committee of the whole to consider the bills which it had under consideration when it arose.

Senator Washburn was called to the chair to preside over the committee.

The committee arose and submitted the following reports:

The committee recommends that Senate bill No. 620 pass with the following amendment: Insert after the words "with the construction of a state capitol," in line 5 of the printed bill, the following: "And the State of Washington hereby guarantees the payment of the interest annually upon all warrants authorized by this act which shall hereafter be issued on the state capitol building fund, the interest on which warrants is hereby reduced to a rate not exceeding 5 per cent. per annum, and there is hereby appropriated from any money in the state treasury not otherwise appropriated the sum of ten thousand (10,000) dollars, or so much thereof as may be necessary to meet the annual interest that may become payable during the life of this appropriation, all interest paid as aforesaid to be returned to the general fund of the state treasury from the proceeds of the sales of lands granted to the state for the purpose of erecting public buildings at the state capital: *Provided*, That such warrants shall be issued for the completion of said"

The committee recommends that House bill No. 310 pass with the following amendment: Add to section 2 the words "not otherwise appropriated in the general appropriation bill of this session."

The committee reports House bill No. 355 back to the Senate without amendment.

The committee reports House bill No. 162 back to the Senate without amendment.

The committee reports House bill No. 485 back to the Senate without amendment.

On motion of Senator T. J. Miller, the report of the committee of the whole on House bill No. 620 was adopted.

On motion of Senator Wilson, the rules were suspended, the reading of the bill in the committee of the whole considered the third reading in the Senate, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 19, nays 6, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Frink, Hall, Harper, Hill, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Taylor, Warburton, and Wilson — 19.

Those voting nay were: Senators Easterday, Field, Miller David, Van Patten, Washburn, and Wooding — 6.

Absent or not voting: Senators Crow, High, Houghton, Lesh, Lewis, Pusey, Reinhart, Runner, and Yeend — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson, the rules were suspended, the reading of Senate bill No. 310 in the committee of the whole considered the third reading in the Senate, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 20, nays 0, absent or not voting 14.

Those voting yea were: Senators Baum, Davis, Deckebach, Easterday, Field, Frink, Hall, Harper, Keith, McReavy, Megler, Miller T. J., Paul, Plummer, Range, Runner, Taylor, Washburn, Wilson, and Wooding — 20.

Nays: None.

Absent or not voting: Senators Cole, Crow, Dorr, High, Hill, Houghton, Lesh, Lewis, Miller David, Pusey, Reinhart, Van Patten, Warburton, and Yeend — 14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson, the rules were suspended; the reading of House bill No. 485 in the committee of the whole considered the third reading in the Senate, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 19, nays 1, absent or not voting 14.

Those voting yea were: Senators Baum, Cole, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, Houghton, Keith, Lesh, McReavy, Megler, Miller T. J., Plummer, Pusey, Wilson, and Wooding — 19.

Senator Paul voted nay.

Absent or not voting: Senators Crow, Davis, High, Hill, Lewis, Miller David, Range, Reinhart, Runner, Taylor, Van Patten, Warburton, Washburn, and Yeend — 14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson, the rules were suspended, the reading of House bill No. 162 in the committee of the whole considered the third reading in the Senate, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 21, nays 0, absent or not voting 13.

Those voting yea were: Senators Baum, Davis, Deckebach, Easterday, Field, Frink, Hall, Harper, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Van Patten, Wilson, and Wooding — 21.

Nays: None.

Absent or not voting: Senators Cole, Crow, Dorr, High, Hill, Lesh, Lewis, Pusey, Reinhart, Taylor, Warburton, Washburn, and Yeend — 13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson, the rules were suspended, the third reading of House bill No. 355 in the committee of the whole considered the third reading in the Senate, and the bill placed on its final passage.

It was then passed by the following vote: Yeas 21, nays 0, absent or not voting 13.

Those voting yea were: Senators Baum, Davis, Deckebach, Dorr, Frink, Hall, Harper, Houghton, Keith, McReavy, Megler, Miller

David, Miller T. J., Paul, Plummer, Pusey, Range, Van Patten, Washburn, Wilson, and Wooding—21.

Nays: None.

Absent or not voting: Senators Cole, Crow, Easterday, Field, High, Hill, Lesh, Lewis, Reinhart, Runner, Taylor, Warburton, and Yeend—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The clerk of the House read the following messages:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 242, by Senator T. J. Miller, An act for the relief of the Capital City Abstract and Title Insurance Company.

Also, Senate bill No. 260, by Senator Baum, An act providing for the service of summons and complaint upon corporations, etc.

Also, Senate bill No. 243, by Judiciary Committee, An act relating to justices of the peace and constables in cities having more than twenty thousand inhabitants, and fixing their number and salaries.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 259, by Senator Keith, An act prohibiting the maintenance, construction and use of fixed appliances for catching salmon, etc.

Also, Senate bill No. 174, by Senator Baum, An act providing for the disorganization and liquidation of irrigation districts, etc.

Also, Senate bill No. 210, by Senator Taylor, An act requiring street cars to be provided with pilot fenders or aprons.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 263, An act to provide for the assessment and collection of taxes in the State of Washington, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 268, entitled "An act to prevent the destruction, mutilation or defacement of land marks, monuments and notices upon mining claims and providing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 268.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 97, entitled "An act relating to claims against the estates of infants, insane and incompetent persons," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 97.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 171, entitled "An act relating to negotiable papers," have had the same under consideration, and we respectfully report the same back to the Senate, having found it correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 171.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 204, entitled "An act granting to judgment debtors the right of possession, rents, issues and profits of real estate and premises sold under execution, during the period of redemption, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 204.

SENATE CHAMBER,
OLYMPIA, WASH., March 10, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 236, entitled "An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to state board of health, have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 236.

SENATE CHAMBER,
OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 231, entitled "An act to amend section 20 of an act entitled 'An act to define, regulate and govern the state penitentiary, and declaring an emergency,' approved March 9, 1891, being section 1160 of the first volume of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 231.

SENATE CHAMBER,
OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 250, entitled "An act for the relief of George W. Babcock," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 250.

SENATE CHAMBER,
OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 96, entitled "An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington, relating to notice to a party after appearance in an action," have had the same under consideration,

and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 96.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 106, entitled "An act providing for the purchase of stationery, desk supplies and furnishings required by the state legislature and the state officers located at the capitol," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 106.

On motion of Senator McReavy, the Senate took up House bill No. 180, An act to provide for the official scaling of logs and lumber."

The bill was read the third time by sections.

It was then placed on final passage, and passed by the following vote: Yeas 21, nays 0, absent or not voting 13.

Those voting yea were: Senators Baum, Cole, Davis, Easterday, Field, Frink, Harper, High, Houghton, Keith, Lewis, McReavy, Miller David, Miller T. J., Paul, Plummer, Range, Van Patten, Washburn, Wilson, and Wooding — 21.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Dorr, Hall, Hill, Lesh, Megler, Pusey, Reinhart, Runner, Taylor, Warburton, and Yeend — 13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 224, by Mr. Way: An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, etc.

On motion of Senator David Miller, the bill was indefinitely postponed.

President Daniels administered the oath of office to the follow-

ing persons as assistant enrolling clerks: Corinne Prince, Celia Barr, A. B. Cowles, O. R. Simenson and R. L. Robertson.

On motion of Senator David Miller, the vote by which House bill No. 224 was indefinitely postponed was reconsidered.

On motion of Senator Plummer, the Senate took up Senate bill No. 170, by Senator Plummer: An act to amend section 1672 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to depositions, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Easterday, Field, Frink, Hall, Harper, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Runner, Van Patten, Washburn, Wilson, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Crow, Dorr, High, Hill, Lesh, Range, Reinhart, Taylor, and Warburton — 9.

The emergency clause was passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Field, Frink, Hall, Harper, Houghton, Keith, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Taylor, Van Patten, Washburn, Wilson, Wooding, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Crow, Dorr, Easterday, High, Hill, Lesh, Pusey, Range, Reinhart, and Warburton — 10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wilson moved that the rules be suspended, and the vote by which the emergency clause of Senate bill No. 288, "An act fixing the fees to be paid to the secretary of state by corporations doing business in this state, and declaring an emergency," failed to pass, be reconsidered.

The motion was carried.

The roll was called on the said emergency clause, which was passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Cole, Crow, Deckebach, Dorr

Easterday, Field, Frink, Harper, Hill, Houghton, Keith, Lesh, Lewis, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Taylor, Van Patten, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baum, Davis, Hall, High, McReavy, Reinhart, and Runner — 7.

House bill No. 472: An act to establish a uniform system of common schools in the State of Washington, etc.

On motion of Senator Taylor, the report of the Committee on Education on the bill was rejected.

The secretary began the third reading of the bill.

Senator Keith moved that he go back and begin reading from the first.

The motion was carried by the following vote: Yeas 15, nays 9, absent or not voting 10.

Those voting yea were: Senators Deckebach, Easterday, Field, Frink, Harper, Hill, Keith, Lewis, Megler, Miller David, Miller T. J., Runner, Van Patten, Wilson, and Wooding — 15.

Those voting nay were: Senators Cole, Dorr, Houghton, McReavy, Plummer, Pusey, Taylor, Washburn, and Yeend — 9.

Absent or not voting: Senators Baum, Crow, Davis, Hall, High, Lesh, Paul, Range, Reinhart, and Warburton — 10.

The bill was read the third time by sections.

Senator Lewis offered the following amendment: Between the enacting clause and the words "Title 1.— Divisions of territory," insert the following words: "Short title of this act: Sec. —. This act shall be known, called and cited as the Code of Public Instruction."

The amendment was adopted.

Senator Lewis offered the following amendment: Amend section 2, chapter 3, page 22, lines 1, 2 and 3 of the printed bill, by striking out the House amendment thereto and restore the printed form of the same.

The amendment was adopted.

The bill was then placed on its final passage, and passed by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Easterday, Frink, Hall, Harper, Houghton, Keith, Lewis,

McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Range, Warburton, Washburn, and Yeend — 21.

Those voting nay were: Senators Crow, Field, Hill, Paul, Runner, Taylor, and Wilson — 7.

Absent or not voting: Senators Dorr, High, Lesh, Reinhart, Van Patten, and Wooding — 6.

The emergency clause was passed by the following vote: Yeas 26, nays 3, absent or not voting 5.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Easterday, Frink, Hall, Harper, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Van Patten, Warburton, Washburn, Wilson, and Yeend — 26.

Those voting nay were: Senators Crow, Field, and Runner — 3.

Absent or not voting: Senators High, Hill, Reinhart, Taylor, and Wooding — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 224 was again taken up.

Senator Washburn offered the following amendment: Insert in section 52, line 9, after the word "said," "*Provided*, That the owners of such improvements shall have the right in all cases to purchase in addition to the tide lands covered by such improvements unoccupied and improved tide lands adjoining such improvements, sufficient for the necessary and convenient use and enjoyment of such improvements, and the right of the owner of such improvements to purchase such adjoining unoccupied and unimproved tide lands as may be requisite and necessary for the proper and convenient use of such improvements and business shall be prior and superior to that of the upland owner or others claiming under, by or through such upland owner, except in cases where prior to the passage of this act a contract for the sale of such unimproved tide land has been actually made by the state land commissioner with such upland owner. The owner of such improvements shall make application to the state land commissioner for leave to purchase such additional and tide lands, and set forth in his application the business, purpose and use for which said additional land is wanted, and which said land shall be fully described by metes and bounds, and an accurate plat of the same shall be attached to the application; and shall also show the land

as surveyed and platted by the state, with reference to the plat on file in the county where the tide land is situated; the commissioner of such public land shall advertise such application as required for applications to purchase tide lands of the second class in this act; and after hearing the case of the applicant, the harbor line commission shall determine the applicant's rights, but in no case shall such applicant be allowed more land than is necessary for the convenient and proper use of his improvements and business. All applications of such improvers for such additional tide land shall be filed with the commissioner of public lands on or before ninety days from the passage of this act."

Senator Easterday offered the following amendment to the amendment: "*Provided, however,* That nothing herein shall enable such improver to purchase any tide land where the upland owner has heretofore purchased, or offered to purchase, any such tide land."

The amendment to the amendment was lost, and the original amendment prevailed.

On motion of Senator Dorr, the following amendment was added to section 55: "and any owner of upland having improvements situated on the tide lands in front of and abutting on said upland not being tide lands of the first class, shall have a preference right to purchase said tide lands at \$5 per lineal chain measured along the United States meander line, until July 1, 1897, whether applications have been filed or contests exist therefor or not: *Provided,* That this act shall not apply to tide lands sold or conveyed by contracts or patents already issued."

On motion of Senator Dorr, the following amendment was added to section 66: "*Provided,* Where improvements have been made on tide lands or lands under water in front of towns or cities, prior to the location of harbor lines in such towns or cities, by the state board of harbor line commissioners, and the reserved harbor area as located includes such improvements, no distraint or sale of such improvements for taxes shall be had until six months after said lands shall have been leased or offered for lease from or by such board as shall be authorized by law to execute leases of tracts embraced within the reserved harbor area of the state: *Provided,* That this act shall not apply to any tract or tracts that said board shall decide not to lease or otherwise dispose of, and shall not affect or impair the lien for taxes on said improvements."

Senator Dorr offered the following amendment to section 23: In line 9 of the printed bill, after the word "sold," insert the words "except to the lessee."

The amendment was adopted.

On motion of Senator Dorr, section 77 was stricken out.

The bill was then placed on its final passage, and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Hall, Harper, High, Houghton, Keith, Lesh, McReavy, Miller David, Miller T. J., Paul, Plummer, Pusey, Range, Reinhart, Warburton, Washburn, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Deckebach, Frink, Hill, Lewis, Megler, Runner, Taylor, Van Patten, and Wilson — 9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has refused to concur in Senate amendment to House bill No. 620, entitled "An act relating to the capitol building," and asks the Senate to appoint a conference committee. S. P. CARUSI, Chief Clerk.

Senator T. J. Miller moved that the Senate refuse to recede from its amendments to the preceding House bill No. 620, and that a conference committee be appointed to confer with a like committee from the House.

The motion was carried, and the president appointed Senators T. J. Miller, Davis and Range as such committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has appointed the following named gentlemen, to wit, Messrs. Pierson, Libby and Mitchell, to confer on House bill No. 620, in relation to the differences existing between the two houses thereon.

S. P. CARUSI, Chief Clerk.

The conference committee on House bill No. 620 submitted the following report:

REPORT OF CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

Your committee on conference on House bill No. 620 recommend the following amendment instead of the one adopted by the Senate: "And the State of Washington hereby guarantees the payment of the interest annually upon two hundred and fifty thousand dollars of the five hundred thousand dollars of warrants authorized by this act which shall hereafter be issued on the state capitol building fund, the interest on which two hundred and fifty thousand dollars of warrants is hereby reduced to a rate not exceeding four (4) per cent. per annum, and there is hereby appropriated from any money in the state treasury not otherwise appropriated the sum of ten thousand (10,000) dollars, or so much thereof as may be necessary, to meet the annual interest that may be payable during the life of this appropriation; all interest paid as aforesaid to be returned to the general fund of the state treasury from the proceeds of the sale of land granted to the state for the purpose of erecting public buildings at the state capital: *Provided*, That such warrants shall be issued for the completion of said"

Respectfully submitted.

THOMAS J. MILLER,
J. A. DAVIS,
J. W. RANGE,
On part of Senate.
J. B. LIBBY,
V. R. PIERSON,
DAVID MITCHELL,
On part of House.

On motion of Senator T. J. Miller, the report was adopted.

The Senate passed the amended bill by the following vote: Yeas 21, nays 9, absent or not voting 9.

Those voting yea were: Senators Baum, Cole, Davis, Deckebach, Dorr, Frink, Hall, Harper, Hill, Keith, Lesh, Lewis, McReavy, Megler, Miller T. J., Paul, Plummer, Pusey, Range, Wilson, and Yeend — 21.

Those voting nay were: Senators Crow, Easterday, Field, Houghton, Miller David, Reinhart, Runner, Van Patten, and Washburn — 9.

Absent or not voting: Senators High, Taylor, Warburton, and Wooding — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT:

The House has passed substitute for Senate bill No. 290, by free conference committee, An act relating to the publication of notices of sale.

Also, Senate bill No. 258, by Senator Megler, An act for the protection of sturgeon.

And the same are hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 152, entitled "An act to regulate the sanitary construction of house drainage and plumbing in cities of first class," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 152.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 210, entitled "An act requiring street cars to be provided with pilots, fenders or aprons," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 210.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has adopted the report of the conference committee on House bill No 620, and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 236, entitled "An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to state board of health."

Also, Senate bill No. 152, An act to regulate the sanitary construction of house drainage and plumbing in cities, etc.

Also, Senate bill No. 204, An act granting to judgment debtors the right of possession, rent, etc., under execution, during the period of redemption, etc.

Also, Senate bill No. 97, An act relating to claims against the estates of infants, insane and incompetent persons, and the same are herewith.

S. P. CARUSI, Chief Clerk

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed Senate bill No. 170, by Senator Plummer, An act to amend section 1672 of volume 2 of Hill's Annotated Statutes and Codes of Washington, etc., and declaring an emergency, and the same is hereby transmitted to the Senate.

S. P. CARUSI, Chief Clerk.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 243, entitled "An act relating to justices of the peace and constables in cities having more than five thousand inhabitants, and fixing their number and salaries," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 243.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 62, entitled "An act relating to county boundaries," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 62.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 208, entitled "An act relating to the taxes and funds of municipal corporations, having less than twenty thousand inhabitants, have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 208.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 252, entitled "An act relating to the disposition of moneys received from the United States for the support of the soldiers' home," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 252.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has adopted the report of conference committee on Senate bill No. 290; and the same is herewith returned.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 268, entitled "An act to prevent the destruction, mutilation or defacement of landmarks," etc.; and the same is herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 210, entitled "An act requiring street cars to be provided with pilots," etc.

Also, Senate bill No. 62, An act relating to county boundaries.

Also, Senate bill No. 252, An act relating to the disposition of moneys received from the United States for the support of the soldiers' home, etc.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 96, entitled "An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington," etc.

Also, Senate bill No. 250, An act for the relief of George W. Babcock.

Also, Senate bill No. 106, An act providing for the purchase of stationery, etc., required by the state legislature and state officers, etc.

Also, Senate bill No. 231, An act to amend section 20 of an act entitled "An act to define, regulate and govern the state penitentiary," etc.

Also, Senate bill No. 171, An act relating to negotiable papers.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

The free conference committee on Senate bill No. 273 submitted the following:

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, a majority of your committee on free conference, to whom was referred Senate bill No. 273, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as to the items in dispute as per annexed schedule.

Respectfully submitted.

We concur in this report:

AUGUSTUS HIGH, Chairman.

FRANK P. LEWIS.

S. WARBURTON.

C. W. DORR.

D. E. LESH.

L. C. CROW.

JOSEPH HILL.

On part of Senate.

B. S. SCOTT.

JOHN H. POWELL.

J. L. LIKINS.

On part of House.

SCHEDULE OF AMENDMENTS.

Line 9: \$2,400.

Line 10: Restore line 10.

Line 11: Concur in House amendment.

Lines 16 and 16½: As in printed bill.

Line 24: Concur in House amendment.

Line 25: \$820 per year, \$1640.

Line 26½: Concur in House amendment.

Line 27: Concur in House amendment.

Line 28: \$400.

Line 29: Concur in House amendment.

Line 30: Concur in House amendment.

Line 31: Strike out House amendment.

Line 32: \$500.

Lines 33 and 34: Each \$200.

Line 36: Concur in House amendment.

Line 56: \$1,800.

Line 57: Concur in House amendment.

Line 64: Concur in House amendment.

Line 66: Concur in House amendment.

Line 73: \$6,000.

Line 83½: Concur in House amendment.
Line 86½: Concur in House amendment.
Line 90: Concur in House amendment.
Line 92: Concur in House amendment.
Line 96: Concur in House amendment.
Line 98: \$500.
Line 105: \$4,000.
Line 107: \$1,500.
Line 111½: Concur in House amendment.
Line 111: Concur in House amendment.
Line 116½: Concur in House amendment.
Line 119: \$150,000.
Line 120: Concur in House amendment.
Line 121: \$600.
Line 122: Concur in House amendment.
Line 128: Concur in House amendment.
Line 132: Concur in House amendment.
Line 133: Concur in House amendment.
Line 134: \$4,000.
Line 134½: Concur in the House amendment.
Line 143: Concur in House amendment.
Line 144: Concur in House amendment.
Line 147: As in printed bill, \$58,060.
Line 147½: Concur in House amendment.
Line 153: As in the printed bill, \$1,600.
Line 152: Concur in the House amendment.
Line 156: As in printed bill.
Line 158: As in printed bill.
Line 162: As in printed bill.
Line 164: \$90,000.
Line 165: \$2,500.
Line 170½: Concur in House amendment.
Line 170½: Concur in House amendment.
Line 171½: Concur in House amendment.
Line 171½: Concur in House amendment.
Line 179: Concur in House amendment.
Line 182: As in printed bill.
Military fund \$3,000 per year, \$6,000.
State fair \$3,000 per year, \$6,000.
Line 170: Maintenance agricultural college \$28,000.

The majority report was adopted.

MINORITY REPORT.

We, the undersigned, dissent from the above report as to the following items:

Line 119: Maintenance Western Washington hospital for the insane \$150,000. We recommend \$140,000.

Strike out line 153.

Line 156: Maintenance Ellensburg normal school \$28,000. We recommend \$23,000.

Line 158: Maintenance Cheney normal school \$28,000. We recommend \$23,000.

Line 162: Maintenance New Whatcom normal school \$20,000. We recommend \$10,000.

Line 164: Maintenance state university \$90,000. We recommend \$60,000.

Line 170: Maintenance agricultural college \$28,000. We recommend \$20,000.

Strike out line 189.

GEO. M. WITT.

C. P. BUSH.

L. E. RADER.

C. SMITH.

House bill No. 414: An act providing for the assessment and collection of the cost of improving street intersections forming a part of any local improvement in any city of the first class, etc.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Frink, Hall, Harper, High, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Paul, Plummer, Pusey, Range, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Field, Hill, Miller David, Miller T. J., Reinhart, Runner, and Van Patten — 7.

The emergency clause was passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Dorr, Easterday, Field, Frink, Hall, Harper, High, Hill, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Plummer, Pusey, Range, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Miller T. J., Paul, Reinhart, and Van Patten — 4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following resolution was introduced by Senator McReavy:

Resolved by the Senate, That, whereas, there is a diversity of opinion in regard to the best means of furthering the fishing industry of the State of Washington, and as this great industry should receive the most careful consideration at the hands of the legislature, and in order to act intelligently in the premises it should be in possession of all information attainable: therefore,

Be it resolved, That a committee of seven hold-over senators be appointed by the president of the Senate who shall visit the Columbia river, Gray's Harbor, Shoalwater Bay and Puget Sound during the fishing season of 1897, and examine the various methods adopted to take fish, and the effects of such methods upon the fishing industry, and all matters pertaining thereto, and report to the next regular session of the legislature the result of such investigation.

Each member of said committee shall receive the sum of five dollars per day and mileage during the time actually employed: *Provided, however*, That in no event shall the total sum expended exceed one thousand dollars.

The resolution was adopted.

The following resolution was introduced by Senator Dorr:

Resolved, That all clerks and employes be allowed one day's extra salary for the work of to-night.

The resolution was adopted.

The following resolution was introduced by Senator Keith:

Resolved, That Miss Ella J. Munson be allowed \$10 for services rendered as typewriter during the former typewriter's absence and at other times.

The resolution failed of adoption by the following vote: Yeas 14, nays 15, absent or not voting 5.

Those voting yea were: Senators Baum, Davis, Field, Frink, Hall, Harper, High, Keith, Lesh, McReavy, Miller David, Paul, Pusey, and Range — 14.

Those voting nay were: Senators Crow, Deckebach, Dorr, East-erday, Hill, Lewis, Megler, Plummer, Runner, Taylor, Warburton, Washburn, Wilson, Wooding, and Yeend — 15.

Absent or not voting: Senators Cole, Houghton, Miller T. J., Reinhart, and Van Patten — 5.

House bill No. 534, An act authorizing the acquiring, receiving, condemnation, laying out, grading and improvement of boulevards, or composite highways and walks, cycle paths and parks in connection therewith, etc.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 24, nays 2, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Harper, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Plummer, Pusey, Range, Runner, Taylor, Washburn, Wilson, and Wooding — 24.

Those voting nay were: Senators Hill and Paul — 2.

Absent or not voting: Senators Deckebach, Hall, High, Miller T. J., Reinhart, Van Patten, Warburton, and Yeend — 8.

The emergency clause was passed by the following vote: Yeas 24, nays 2, absent or not voting 8.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Dorr, Easterday, Field, Frink, Harper, Houghton, Keith, Lesh, Lewis, McReavy, Megler, Miller David, Plummer, Pusey, Range, Runner, Taylor, Washburn, Wilson, and Wooding — 24.

Those voting nay were: Senators Hill and Paul — 2.

Absent or not voting: Senators Deckebach, Hall, High, Miller T. J., Reinhart, Van Patten, Warburton, and Yeend — 8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has passed House bill No. 476, by Mr. Stuhrman, An act to aid the Washington state historical society, and the same is herewith transmitted.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 243, An act relating to justices of the peace and constables in cities having more than five thousand inhabitants, etc.

Also, Senate bill No. 208, An act relating to the taxes and funds of municipal corporations having less than twenty thousand inhabitants.

Also, House bill No. 428, An act providing for survey and establishment of a state road, etc.

Also, House bill No. 310, An act to establish and maintain a fish hatchery, etc.

And the House bills are herewith for the signature of the president of the Senate.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bills Nos. 428 and 310.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 290, entitled "An act relating to the publication of sales of property on execution or order of sale," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above Senate bill No. 290.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 288, entitled "An act fixing the fees to be paid to the secretary of state by corporations doing business in this state, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above Senate bill No. 288.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 242, entitled "An act for the relief of the Capital City Abstract and Title Insurance Company," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above Senate bill No. 242.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 364, An act to abolish the boards of trustees, respectively, of Washington State.

Also, House bill No. 459, An act providing for a wagon road, beginning at a point on the Columbia river, etc.

Also, House concurrent resolution No. 29, Providing for the lease of suitable quarters for the state offices.

And the same are herewith, for the signature of the president of the Senate.
S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bills Nos. 364 and 459, and House concurrent resolution No. 29.

House bill No. 317: An act to provide for voting on an amendment to section (1) one of article (2) two of the constitution of the State of Washington, embodying the right of direct legislation by the people.

The bill was read the third time by sections.

Senator Taylor moved that the figures "15," wherever they occur in the bill, be stricken out, and the figures "25" inserted in lieu thereof.

The amendment was adopted.

The bill was then placed on its final passage, and failed to pass by the following vote: Yeas 15, nays 7, absent or not voting 12.

Those voting yea were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, Miller David, Miller T. J., Plummer, Range, Runner, Taylor, Van Patten, and Yeend — 15.

Those voting nay were: Senators Deckebach, Frink, Harper, Megler, Warburton, Wilson, and Wooding — 7.

Absent or not voting: Senators Baum, Dorr, Easterday, Hall, Houghton, Lesh, Lewis, McReavy, Paul, Pusey, Reinhart, and Washburn — 12.

House bill No. 402 (substitute for House bills Nos. 50, 63, 288, 303, 319): An act to promote and protect the fruit growing and horticultural interests of the State of Washington; to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith; to appropriate money therefor.

The bill was read the third time by sections.

It was then placed on its final passage, and failed to pass by the following vote: Yeas 11, nays 4, absent or not voting 19.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Hall, Harper, High, Keith, Lesh, Plummer, and Taylor — 11.

Those voting nay were: Senators Frink, Hill, Lewis, and Wilson — 4.

Absent or not voting: Senators Crow, Deckebach, Easterday, Field, Houghton, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Range, Reinhart, Runner, Van Patten, Warburton, Washburn, Wooding, and Yeend — 19.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has adopted the majority report as signed by House committee of the free conference committee on Senate bill No. 273, and asks for another free conference committee on same.

And the House has appointed the same gentlemen as a committee on the part of the House.

S. P. CARUSI, Chief Clerk.

On motion of Senator Keith, the same members of the free conference committee on the preceding House bill No. 273, were again appointed as a free conference committee.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 233, entitled "An act to amend section 1443 of the Code of Washington of 1881," the same being section 955 of the second volume of Hill's Annotated Codes of Washington, and in regard to settlement of estates of decedents, have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 233.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 258, entitled "An act for the protection of sturgeon in the waters of this state," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 258.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 260, entitled "An act providing for the service of summons and complaint upon corporations which have been doing business in this state when such corporations are in the hands of a receiver, and there are no officers in this state upon whom summons and complaint can be

And the same are herewith, for the signature of the president of the Senate.
S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bills Nos. 364 and 459, and House concurrent resolution No. 29.

House bill No. 317: An act to provide for voting on an amendment to section (1) one of article (2) two of the constitution of the State of Washington, embodying the right of direct legislation by the people.

The bill was read the third time by sections.

Senator Taylor moved that the figures "15," wherever they occur in the bill, be stricken out, and the figures "25" inserted in lieu thereof.

The amendment was adopted.

The bill was then placed on its final passage, and failed to pass by the following vote: Yeas 15, nays 7, absent or not voting 12.

Those voting yea were: Senators Cole, Crow, Davis, Field, High, Hill, Keith, Miller David, Miller T. J., Plummer, Range, Runner, Taylor, Van Patten, and Yeend — 15.

Those voting nay were: Senators Deckebach, Frink, Harper, Megler, Warburton, Wilson, and Wooding — 7.

Absent or not voting: Senators Baum, Dorr, Easterday, Hall, Houghton, Lesh, Lewis, McReavy, Paul, Pusey, Reinhart, and Washburn — 12.

House bill No. 402 (substitute for House bills Nos. 50, 63, 288, 303, 319): An act to promote and protect the fruit growing and horticultural interests of the State of Washington; to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith; to appropriate money therefor.

The bill was read the third time by sections.

It was then placed on its final passage, and failed to pass by the following vote: Yeas 11, nays 4, absent or not voting 19.

Those voting yea were: Senators Baum, Cole, Davis, Dorr, Hall, Harper, High, Keith, Lesh, Plummer, and Taylor — 11.

Those voting nay were: Senators Frink, Hill, Lewis, and Wilson — 4.

Absent or not voting: Senators Crow, Deckebach, Easterday, Field, Houghton, McReavy, Megler, Miller, Miller T. J., Paul, Pusey, Range, Reinhart, Runner, Taylor, Van Patten, Washburn, Wooding, and Yeend — 19.

1850

Mr. President

The House has adopted
the bill for the relief of
the soldiers of the
Revolutionary War
and the House has
passed the bill for the
relief of the soldiers of the
Revolutionary War

The House has also
passed the bill for the
relief of the soldiers of the
Revolutionary War

The House has also
passed the bill for the
relief of the soldiers of the
Revolutionary War

The House has also
passed the bill for the
relief of the soldiers of the
Revolutionary War

Mr. President
We have your bill
bill No. 100
of this state
report the same
Respectfully
I concur in the
President's

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by:

served," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 260.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 318, An act providing for the disposition of certain funds collected for road purposes, etc.

Also, House bill No. 302, An act to regulate the leasing of mineral lands, etc.

Also, House bill No. 307, An act to provide for the establishment of a state road from Grand Forks, on the Wishkah river, etc.

Also, House bill No. 355, An act for the relief of W. B. Davey et al.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bills Nos. 318, 302, 307 and 355.

On motion of Senator High, the vote by which House bill No. 402 failed to pass was reconsidered.

It was then placed on its final passage, and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Easterday, Frink, Harper, High, Hill, Houghton, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Range, Runner, Taylor, Washburn, Wilson, and Wooding — 23.

Nays: None.

Absent or not voting: Senators Deckebach, Dorr, Field, Hall, Lesh, Lewis, Pusey, Reinhart, Van Patten, Warburton, and Yeend — 11.

The title was amended by striking out the words "to appropriate money therefor."

House bill No. 354: An act to provide for the publication of the third biennial report of the state board of horticulture, and declaring an emergency.

The bill was read the third time by sections.

It was then placed on its final passage, and passed by the following vote: Yeas 18, nays 0, absent or not voting 16.

Those voting yea were: Senators Baum, Cole, Davis, Frink, Hall,

Harper, High, Keith, McReavy, Megler, Miller David, Miller T. J., Plummer, Pusey, Runner, Taylor, Washburn, and Wooding — 18.

Nays: None.

Absent or not voting: Senators Crow, Deckebach, Dorr, Easterday, Field, Hill, Houghton, Lesh, Lewis, Paul, Range, Reinhart, Van Patten, Warburton, Wilson, and Yeend — 16.

On motion of Senator Pusey, the emergency clause was stricken from the title.

The following resolution was introduced by Senator T. J. Miller:

Resolved: That T. E. Skaggs be allowed \$5 per day from the beginning of the session for his services as minute clerk, and the secretary of the Senate is hereby authorized and directed to draw the necessary voucher for the balance remaining unpaid.

And be it further resolved, That Mr. Ryan be paid \$3.50 for his services as watchman last night.

The resolution was adopted.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We your Committee on Enrolled Bills, to whom was referred Senate bill No. 174, entitled "An act providing for the disorganization and liquidation of irrigation districts which have no bonded indebtedness, and the winding up of their affairs," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 174.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 170, entitled "An act to amend section 1672 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to depositions, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

JOHN I. YEEND.

President Daniels signed the above, Senate bill No. 170.

The following resolution was introduced by Senator McReavy:

Resolved, That the secretary and president of the Senate are hereby authorized to draw warrants to pay those employes who are required by resolution to remain and complete their work.

The resolution was adopted.

Senator Davis moved that the Senate take up House bill No. 516.

The motion was lost.

Senator Harper moved that the Senate take up House bill No. 380.

The motion was lost.

Senator Plummer moved that no more bills, except the general appropriation bill, be taken up.

The motion was carried.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 288, An act fixing the fees to be paid to the secretary of state by corporations, etc.

Also, Senate bill No. 242, An act for the relief of the Capital City Abstract and Title Insurance Company.

Also, Senate bill No. 290, An act relating to the publication of notice of sales, etc.

And the same are herewith.

The speaker of the House has signed House bill No. 302, An act to regulate leasing of mineral lands, etc.

Also, Senate bill No. 174, An act providing for disorganization, etc., of irrigation districts, etc.

Also, Senate bill No. 170, An act to amend section 1672 of volume 2 of Hill's Statutes and Codes, etc.

Also, Senate bill No. 258, An act for the protection of sturgeon, etc.

Also, Senate bill No. 233, An act to amend section 1443 of the Code of Washington of 1881, etc.

Also, Senate bill No. 260, An act providing for the service of summons and complaint, etc.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bill, No. 302.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 182, An act providing for the survey, location and constructing of a wagon road, etc.; and the same is herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bill No. 182.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your committee on free conference, to whom was recommitted Senate bill No. 273, entitled "An act making appropriations for certain fiscal expenses of the state government for a period extending from April 1, 1897, to March 31, 1899," have had the same under consideration, and we respectfully report that the following differences between the two houses have been agreed upon by the joint committee of free conference as follows:

Line 63½: Salary of deputy state superintendent, \$1,000 per year, \$2,000.

Line 164: State university, \$78,000.

Line 156: Ellensburg normal school, \$25,000.

Line 158: Cheney normal school, \$25,000.

Line 162: New Whatcom school, \$17,500.

Line 170: Agricultural college, \$27,500.

Line 119: Western hospital for insane, \$145,000.

Line 27: Extra clerk hire, secretary of state, \$500.

State fair, \$5,500.

Respectfully submitted.

We concur in this report:

AUGUSTUS HIGH, Chairman.

C. W. DORR.

D. E. LESH.

F. P. LEWIS.

JOS. HILL.

L. C. CROW.

STANTON WARBURTON.

On motion of Senator Warburton, action on the report was deferred temporarily.

The Senate took a recess for fifteen minutes.

President Daniels called the Senate to order after recess.

On motion of Senator Warburton, the report of the free conference committee on Senate bill No. 273 was adopted.

The amended bill was then placed on its final passage, and passed by the following vote: Yeas 22, nays 0, absent or not voting 12.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Deckebach, Frink, Hall, High, Hill, Lesh, Lewis, McReavy, Megler, Miller David, Miller T. J., Paul, Pusey, Range, Runner, Warburton, Washburn, and Wooding — 22.

Nays: None.

Absent or not voting: Senators Dorr, Easterday, Field, Harper, Houghton, Keith, Plummer, Reinhart, Taylor, Van Patten, Wilson, and Yeend — 12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The House has adopted the report of the free conference committee on Senate bill No. 273, and the same is herewith.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 224.

Also, House bill No. 354.

Also, House bill No. 485.

Also, House bill No. 503.

Also, House bill No. 418.

Also, House bill No. 402.

Also, House bill No. 620.

Also, House bill No. 414.

Also, House bill No. 209.

Also, House bill No. 417.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above House bills Nos. 224, 354, 485, 503, 418, 402, 620, 414, 209 and 417.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 259, entitled "An act prohibiting the maintenance, construction and use of fixed appliances and seines for the catching of salmon in certain waters and in parts of certain waters in the State of Washington, and regulating the licensing and use of the same in certain other of the waters of said state, including the Columbia river, and for the licensing of gill nets and drift nets, and providing for the disposition of the funds arising therefrom, and repealing an act of the legislature of the State of Washington approved March 10, 1893, entitled 'An act regulating fish traps, pound nets, weirs, set nets, fish wheels and other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries and Puget Sound; and providing for the licensing thereof, and the disposition of the funds arising therefrom, and declaring an emergency," have

had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 259.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 93, entitled "An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

We concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 93.

On motion of Senator High, the Senate took a recess for ten minutes.

President Daniels called the Senate to order after recess.

The following resolution, by Senator Crow, was unanimously adopted by a rising vote:

Resolved, That the members of this Senate extend to the Hon. Thurston Daniels, president of the Senate, their grateful thanks for the able and impartial manner in which he has presided over this body.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bills Nos. 259 and 93, and House bill No. 162.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bill No. 162.

The secretary of the Senate read the following communication:

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

In behalf of myself and the employes of the Senate, I desire to thank the senators for their patience and courteous treatment during the session; notwithstanding the fact that we were all new at the work.

And we will ever thank you for the same.

DUDLEY ESHLEMAN, Secretary of Senate.

The following communication was read:

Resolved by the Senate Press Gang, That our thanks are herewith extended to the secretary of the Senate for the uniform courtesy and kindness manifested toward us during the session about to close, and that we congratulate the Senate upon securing so efficient an officer.

JACK EAGAN, Chairman.

The president appointed Senators McReavy, High, Baum, Warburton, Runner, Yeend and Davis as the committee of hold over Senators to visit the fishing waters and report at the next session of the legislature, provided for in a resolution previously introduced by Senator McReavy.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The chief clerk has been instructed to request the Senate to return to the House all House bills that have been by the Senate indefinitely postponed.

S. P. CARUSI, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 472, An act providing a uniform system of public schools.

Also, House bill No. 534.

Also, House bill No. 180.

And the same are herewith.

S. P. CARUSI, Chief Clerk.

President Daniels signed the above, House bills Nos. 472, 534 and 180.

The following protest was filed:

I hereby file a protest to the president of the Senate signing House bill No. 472 and ———, for the reason that said bills were not complete, and only the last page of each bill being before the president, which the president signed in lieu of the bill proper.

F. G. DECKEBACH.

March 11, 1897.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 209, entitled "An act to amend an act entitled 'An act accepting

the terms of the act of congress approved March 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein; making appropriation therefor, and declaring an emergency,' approved March 22, 1895, and providing further for carrying into effect said grant," have had the same under consideration, and we respectfully report the same back to the Senate, as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above Senate bill No. 209.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 209, entitled "An act providing for the reclamation of arid lands," etc., and the same is herewith.

S. P. CARUSI, Chief Clerk.

Mr. Roberts, of the committee from the House, notified the Senate that the House was ready to adjourn.

On motion of Senator Washburn, a committee of three, consisting of Senators Yeend, Runner and Keith, was appointed to notify the governor that the legislature was about to adjourn, and was ready to receive any communications he might desire to make.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 273, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted.

H. E. HOUGHTON, Chairman.

I concur in this report:

F. G. DECKEBACH.

President Daniels signed the above, Senate bill No. 273.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1897.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 273, entitled "An act making appropriation for sundry civil expenses," etc., and the same is herewith.

S. P. CARUSI, Chief Clerk.

The committee appointed to wait upon the governor, returned accompanied by the governor in person, who stated that he had no further communications to make.

The Committee on Enrolled Bills submitted as its final report, that all bills referred to it had been properly enrolled and reported back to the Senate, and that all enrolled bills had been delivered to the governor, who had properly receipted for them.

On motion of Senator Megler, all bills upon which final action had not been taken by the Senate, were indefinitely postponed.

The president appointed Senators Megler, Washburn and Keith as a committee to notify the House that the Senate was ready to adjourn.

On motion of Senator T. J. Miller, the journal was considered read and approved.

On motion of Senator Davis, at 11:55 o'clock P. M., the Fifth Senate of the State of Washington adjourned *sine die*.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

ERRATA.

Page 173: The House has passed House bill No. 6, should read No. 5.

Page 174: Also, House bill No. 5, should read No. 6.

Page 206: The House has passed House bill No. 13, should read 32.

Page 332: The House has passed House memorial to congress No. 11, should read No. 12.

Page 374: House bill No. 202, should read No. 232.

Page 374: Senate memorial No. 1, should read House memorial No. 1.

Page 465: Senate memorial No. 9, by Senator David Miller, should read Senate memorial No. 10, by Senator David Miller, relative to survivors of Indian war of 1855.

Page 579: Also, Senate concurrent resolution No. 27, should read House, etc.

Page 652: Senate concurrent resolution No. 28, should read No. 26.

DUDLEY ESHELMAN, Secretary of Senate.

INDEX.

**TITLE AND HISTORY OF HOUSE AND SENATE BILLS,
RESOLUTIONS, MEMORIALS, ETC.,
AND
PERSONAL AND SUBJECT INDEXES.**

11. Senator PLUMMER: An act to amend section 4 of an act entitled "An act amending sections 356 and 361 of chapter 3, title 8; also sections 397, 379, 381, 385, 390 and 391 of chapter 3, title 8; also sections 397 and 401 of chapter 4, title 8; also sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Codes and Statutes of Washington; also amending section 380, volume 1, Hill's Annotated Codes and Statutes, as amended by section — of chapter 91 of the Laws of 1893, in relation to elections," approved March 21, 1895, and declaring an emergency.....	70	154	{ 216 } { 267 }	353	.....	.....	.....	.....	.....	.....
12. Senator PLUMMER: An act to repeal an act entitled "An act to authorize and regulate primary elections of voluntary political associations, to provide for the punishment of fraud therein," approved March 21, 1895, and declaring an emergency.....	{ 71 } { 354 }	{ 154 } { 688 }	354	{ 219 } { 267 }	.....	.....	.....	.....	.....	.....
13. Senator EASTERN: An act in regard to assignments and satisfactions and cancellation of mortgages.....	71	{ 100 } { 156 }	{ 122 } { 178 }	{ 205 } { 411 }	409	427	432	502	.....	.....
14. Senator EASTERN: An act prescribing the manner of service of summonses, process, writ, pleading, notice or order in civil actions or proceedings upon corporations.....	71	110	.....	.....	.....	.....	.....	.....	.....	.....
15. Senator EASTERN: An act to repeal an act entitled "An act creating and establishing municipal courts in cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure and providing judges and clerks therefor, and declaring an emergency," approved February 28, 1891, and all acts amendatory thereof, and abolishing the courts and offices thereby created.....	71	{ 401 } { 402 } { 453 }	{ 402 } { 453 } { 458 } { 681 } { 736 }	758	763	767
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17. Senator EASTERN: An act to amend sections one (1), two (2) and eight (8) of an act entitled "An act fixing the salaries of justices of the peace and constables in incorporated cities and towns having more than five thousand (5,000) inhabitants, providing for the payment thereof, and providing for clerks, office quarters, books, blanks and stationery for the said offices, and declaring an emergency".....	72	439
18. Senator EASTERN: An act to amend an act entitled "An act relating to the duties of the state auditor, and declaring an emergency," approved March 20, 1891, and declaring an emergency.....	72	438	.....	.....	.....	.....	.....	.....	.....	.....
19. Senator PLUMMER: An act to protect manufacturers, bottlers and other dealers in ale, porters, lager beer, soda, mineral waters and other beverages from the loss of their casks, barrels, kegs, bottles and boxes.....	75	{ 185 } { 286 }	338	199	338	570	597	634	655	.....

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.	Report of Committee	Third reading and amendments.....	Other action in Senate	Vote on final passage.....	Report from House	Signed by President	Signed by Speaker of House.....	Approved and signed by the Governor.....
20. Senator TAYLOR: An act to amend sections 3122 and 3124 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to laborers' liens and claims.....	75	162	196	{ 207 } { 223 }	196				
21. Senator TAYLOR: An act amending section 2411, volume 1, Hill's Annotated Code of Washington, in relation to an act for bond of contractors for security of laborers.....	75	{ 163 } { 192 }	196	189	196	570	615	635	655
22. Senator TAYLOR: An act providing for a lien for employees.....	75	{ 190 } { 224 }	243		244	570	598	634	655
23. Senator RANGE: An act to validate marriages solemnized by a competent person or persons in the presence of witnesses, and declaring an emergency.....	75	212							
24. Senator TAYLOR: An act relating to negligence.....	{ 76 } { 356 }	{ 162 } { 207 } { 285 } { 414 }	{ 207 } { 336 }	359	336				
25. Senator RANGE: An act defining false pretenses, fixing the punishment, and declaring an emergency.....	76	{ 156 } { 248 }							
26. Senator EASTERDAY: An act to amend section 463 of volume 1, Hill's Annotated Statutes and Codes of Washington, in regard to furnishing election officers with registration books.....	76	{ 135 } { 248 }	207						
27. Senator RANGE: An act providing that claims for damages, wages, materials and supplies shall constitute and be a first lien on all corporation property where the corporation becomes insolvent.....	76	{ 185 } { 248 }							
28. Senator DAVIS: An act defining false pretenses, fixing the punishment, and declaring an emergency.....	79	247							
29. Senator HIGG: An act providing for a constitutional amendment, relating to the reduction of the salaries of the supreme court judges.....	83	192	264		264				

30.	Senator HUGH: An act providing for a constitutional amendment, relating to the reduction of the salary of the governor.....	83.	{ 157 } { 183 }	264	264	264	.....
31.	Senator HUGH: An act providing for a constitutional amendment, relating to the reduction of the salary of the auditor.....	83	194	266	266	.....	.....
32.	Senator HUGH: An act to repeal certain parts of an act relating to the public lands of the state, said act being chapter 173, Session Laws of 1885—survey, management, lease and disposition of the state's granted, tide, system and of its lands, and harbor areas, and the continuation and completion of the several grants to the State by the United States, creating a board of state land commissioners, defining their duties and authorizing them to act as the commission provided for in article 15 of the state constitution, and declaring an emergency.....	84					.....
33.	Senator HUGH: An act providing for a constitutional amendment relative to the reduction of the salary of the secretary of state.....	84	194	265	{ 299 } { 300 }	265	.....
34.	Senator HUGH: An act providing for a constitutional amendment, relating to the reduction of the salary of the treasurer.....	84	194		266	.....	.....
35.	Senator HUGH: An act providing for a constitutional amendment, relating to the reduction of the salary of the attorney general.....	84	191	263	263	.....	.....
36.	Senator HUGH: An act providing for a constitutional amendment relating to the reduction of the salary of the superintendent of public instruction.....	84	195	266	.....	266	.....
37.	Senator T. J. MILLER: An act to make warrants receivable for certain taxes, limiting their issue, and declaring an emergency.....	85	488			.....	.....
38.	Senator T. J. MILLER: An act for the payment of outstanding indebtedness, the establishment of a current expense fund, and declaring an emergency.....	85	487			.....	.....
39.	Senator CROW: An act to repeal an act authorizing actions against the state, approved March 20, 1885.....	85	246			399	.....
40.	Senator RANNEY: An act to repeal an act entitled "An act to amend an act entitled 'An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuing, service and return of process issued by justices of the peace, and to provide for the service and return of summons and notice and complaint issued by justices of the peace, by persons other than sheriffs and constables'....."	85	287			.....	.....
41.	Senator RANNEY: An act to punish officers and stockholders of any bank in this state, who shall borrow money from such bank, or shall overdraw their account with such bank, and declaring an emergency.....	85				.....	.....

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House	Signed by President	Signed by Speaker of House.....	Approved and signed by the Governor.....
42. Senator EASTERDAY: An act amending chapter 124 of the Laws of 1903, entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency".....	85								
43. Senator COLE: An act creating a board of state supervisors, defining its duties, etc.....	86	379							
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45. Senator HUGHTON: An act to enable and authorize certain moneyed corporations to assume certain liabilities, to be executors, administrators and trustees of estates, to act as guardians, to become surety for any person or purpose, depositories of money paid into court, and for other purposes.....	86	{ 226 } 305		303					
46. Senator PLUMMER: An act for the relief of Thomas Delaney.....	88								
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48. Senator PLUMMER: An act regarding the liability of railroad corporations for injuries sustained by employees thereof.....	88	342							
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50. Senator WOONING: An act regulating and making it lawful for any farmer, gardener or other persons to peddle, sell or deliver, free from all license, in any part of the state, and upon any day, except Sunday, all fruits, vegetables or other farm or garden produce, and other eatables, making all ordinances in conflict void, and declaring an emergency.....	88	342	365		365	762	763	767	
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51. Senator HILL: An act providing for a constitutional amendment conferring the elective franchise on women.....	89	{ 195 } { 284 }	443	267	413	{ 728 } { 739 }	747	748
52. Senator VAN PATTEN: An act to confer certain powers upon certain benevolent or charitable institutions or corporations incorporated under the laws of the State of Washington.....	89	{ 308 } { 540 }	446	446					.....
53. Senator DORR: An act to fix the place of residence of the attorney general of the State of Washington, and declaring an emergency.....	89	{ 222 } { 222 } { 222 } { 256 }	240	{ 263 } { 577 }	240				.....
54. Senator HOUTCROFT: An act to appropriate five thousand dollars to repair damages caused by boiler explosion at the Eastern Washington hospital for the insane.....	92	92	92		92	305	334	339	356
55. Senator RANNEY: An act to create a home for the care of orphans, half orphans, foundlings and destitute children, and to provide for its maintenance.....	92	487						
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57. Senator McREARY: An act proposing an amendment to section 39 of article 2 of the constitution, and providing for the submission thereof to the qualified electors of this state for approval at the next general election to be held in November, 1908.....	94	399						
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60. Senator HUGH: An act creating an emergency and deficiency fund to bring up the urgent and pending work now before the board of state land commissioners created under an act entitled "An act to provide for the selection, survey, management, lease and disposition of the state's granted title, oyster and other lands, harbor areas and for the confirmation and completion of the several grants to the state by the United States, creating a board of state land commissioners, defining their duties and authorizing them to act as the commission provided for in article 15 of the state constitution, and declaring an emergency," approved March 26, 1895, making an appropriation therefor, and declaring an emergency.....	101	111		124				
61. Senator CROW: An act providing for board of prisoners in county jails.....	102	381							.....
62. Senator DECKENBACH: An act to define the boundaries of Chelalis county.....	102	{ 343 } { 623 }	743		744	763	782	783	.....

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Approved and signed by the Governor								
	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House	Signed by President	Signed by Speaker of House.....	
63. Senator DECKERBACH: An act to amend section 1449 of Hill's Annotated Statutes and Codes of the State of Washington, relating to instruments affecting real property.....	102	441							
64. Senator CROW: An act concerning mortgages of personal property, and the filling of the same.....	102	540							
65. Senator HARPER: An act to amend section 1443 of the Code of Washington of 1891, the same being section 985 of the second volume of Hill's Annotated Codes of Washington, in regard to settlements of estates of decedents.....	102	400		527					
66. Senator HUGH: An act for the relief of O. M. Hilden.....	102	269 } 301 }	301		301				
67. Senator RANGE: An act relating to instructing of juries in the superior court.....	103								
68. Senator HUGH: An act to amend section 2 of an act entitled "An act in relation to attorneys and counselors at law, providing for admission to the bar," approved March 19, 1885.....	103	246							
69. Senator HOUGHTON: An act for the relief of the widow of H. C. Ashenfelter, deceased.....	103 } 307 }	317 } 382 }	411	562	411	556	615	635	655
70. Senator DAVID MILLER: An act fixing and regulating maximum railroad passenger and freight rates in the State of Washington, prohibiting discrimination by railway common carriers against persons, firms, companies, corporations and localities in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and declaring an emergency.....	103								
71. Senator KERR: An act providing for publishing and supplying a series of text books to the common schools of the State of Washington, and making an appropriation therefor.....	103	393							

72. Senator PLUMMER: An act to prohibit the practice of blacklisting and the coercing and influencing of employees by their employers.....	103	355	383						
73. Senator PLUMMER: An act declaring it a misdemeanor on the part of employers to require as a condition of employment the surrender of any right of citizenship.....	104	354	382						
74. Senator PLUMMER: An act for the protection of life and property against loss or damage from steam boilers, or machinery operated by unlicensed persons; this act to take effect six months after it becomes a law.....	104								
75. COMMITTEE ON APPROPRIATIONS (substitute for Senate bill No. 60): An act appropriating money for clerical assistance in the office of the board of state land commissioners.....	112	113		113	198	215			241
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77. Senator MEGLER: An act making provisions for the incorporation of cemetery associations.....	118		308		338	571			
78. Senator VAN PATTEN: An act amendatory of section one (1) of the Session Laws of the State of Washington for 1983, entitled "An act relating to damages by trespassing animals".....	118	226							
79. Senator VAN PATTEN: An act amendatory of section 2490 of an act entitled "An act relating to care of swine, and providing for collection of damages by reason of swine being at large unlawfully, where owner thereof is known and has received lawful notice thereof," 1 Hill, chapter 2, section 2490.....	119	227							
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81. Senator T. J. MILLER: An act amending section 1285 of Hill's Code, specifying who may be admitted to the soldiers' home.....	119	281							
82. Senator LEAH: An act making it unlawful for any person or persons association of persons or corporations, to handle, buy, sell, give away or manufacture cigarettes or cigarette paper, and providing the punishment for the violation thereof.....	119								
83. Senator YEEND: An act providing for liens upon monuments, grave stones or other structures placed in any cemetery or burial ground in this state.....									
84. Senator RANGL: An act permitting cases in the supreme court to be submitted upon typewritten briefs, provided no costs shall be recovered for any briefs, and declaring an emergency.....	119	287		284					
	120	380							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
85. Senator YEEND: An act to amend section 18 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891.....	120	191	217		217	305			
86. Senator YEEND: An act to amend an act entitled "An act to amend section 5 of an act entitled 'An act appropriating money for the purchase of material and regulating the manufacture and sale of lute and other fabrics and brick at the state penitentiary,' approved March 20, 1895".....	120	190	{ 425 } { 459 }	217					
87. Senator HARPER: An act to amend section 1, chapter 65 of Session Laws, approved March 9, 1893.....	120	245	249	302	459				
88. Senator PLUMMER: An act in regard to contracts affecting the liability of railroad corporations for damages.....	120	610							
89. Senator PLUMMER: An act providing for the issuance of state bonds for the benefit of the Cheney normal school and the New Whatcom state normal school, and prescribing how the proceeds of the sale of such bonds shall be expended.....	120								
90. Senator REINHART: An act to amend sections 2570, 2573, 2574 and 2575 of volume one, Hill's Code of the State of Washington, and declaring an emergency.....	121	543							
91. Senator HILL: An act to provide for the exemption of improvements upon land in the sum of \$1,000.....	121								
92. Senator HILL: An act to amend section 5 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency," approved March 23, 1895.....	121								
93. Senator HODGKINSON: An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington.....	121	288	389	551	384	{ 555 } { 556 }	797	797	

94. Senator KEITH: An act to determine the qualifications of a county superintendent of common schools.....	135	203	219	220
95. Senator KEITH: An act to provide for an institute fund.....	135	208	219	219
96. Senator TAYLOR: An act amending section 822, volume 2, Hill's Annotated Statutes and Codes of Washington, relating to notice to a party after appearance in an action.....	135	{ 382 } 388	386	386	760	774	783
97. Senator TAYLOR: An act relating to claims against the estates of infants, insane and incompetent persons.....	136	343	366	374	763	772	782
98. Senator DORR: An act to appropriate, for the support of fire departments, certain taxes paid by fire insurance companies.....	136	379
99. Senator RANDE: An act defining trusts, and providing a penalty and punishment of corporations, persons, firms, associations or persons connected with them, and making void all contracts entered into for the purpose, and to promote free competition in the State of Washington; making persons concerned in and violating the act competent witnesses, and declaring an emergency.....	136	270
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103. Senator YEEND: An act to amend sections 12 and 13 of an act entitled "An act to define, regulate and govern the state penitentiary," and declaring an emergency.....	165	190	206	422	209	{ 408 } 556	596	684
104. Senator YEEND: An act to amend section 14 of an act entitled "An act providing for the establishment and location of a state reform school, and to declare an emergency," approved March 28, 1890.....	165	{ 189 } 247	{ 206 } 276	208	280

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
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106. Senator COLE: An act providing for the purchase of stationery, desk supplies and furnishings required by the state, and making an appropriation therefor.....	165	246	279	557 601 694 743	302	556 570 601 722 758	774	783	
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109. Senator VAN PATTEN: An act to prohibit the driving or transporting of horses, mares, asses, cattle, goats or sheep from one county of the State of Washington into another, or from any other state for the purpose of pasturing on the public range; and to provide for the county commissioners of any county in the state aforesaid to grant license to any and all persons desirous of removing their stock into another county for the aforesaid purpose; and also to devise means for collecting and appropriating the same.....	166								
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115.	Senator FRISK: An act relating to penalty and interest on state, county and municipal taxes which became due and payable in the years 1894, 1895 and 1896, and declaring an emergency.	167								
116.	Senator CROW: An act relating to deficiency judgments.	167	379	507	458	523	697	716	723	
117.	Senator RUNNER: An act to protect employees and laborers in their claims for wages.	167	355	531						
118.	JUDICIARY COMMITTEE: An act amending section 4 of an act entitled "An act in relation to attorneys and counselors at law, providing for admission to the bar," passed by the legislature of the State of Washington and approved March 19, 1895.	167		199		200	305	350	363	390
119.	JUDICIARY COMMITTEE: An act defining motions and orders.	168		200		200	305	334	339	356
120.	JUDICIARY COMMITTEE: An act to amend section 3289 of the Code of 1881, relating to the removal and suspension of attorneys.	168		200		200	305	334	339	356
121.	JUDICIARY COMMITTEE: An act amending section 1 of an act entitled "An act relating to new trials, and amending section 282 of the Code of Washington of 1881, and repealing sections 279 and 290 of said Code of 1881," approved February 25, 1881, relating to new trials.	168		201		201	305	350	353	390
122.	Senator TAYLOR: An act in relation to garnishments, and repealing sections 1, 2, 3, 4, 6, 7, 10 and 24 of an act entitled "An act in relation to garnishments," approved March 8, 1893, being sections of chapter 56 of the Session Laws of 1893.	174								
123.	Senator T. J. MILLER: An act to amend section 1390 of Hill's Annotated Codes and Statutes of the State of Washington, relating to community property.	174	440							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Thrd reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Approved and signed by the Governor
124. Senator VAN PATTEN: An act to amend section 2490 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relative to the restraint of swine running at large.....	196	289	700		701				
125. Senator KEITH: An act to amend section 52 of chapter 12 of the Laws of 1889-90, entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, as amended by section 16 of chapter 187 of the Laws of 1891, approved March 7, 1891, and again amended by section 1 of an act approved March 14, 1895.....	196	393							
126. Senator VAN PATTEN: An act to amend section 564 of volume 2 of the Code of Civil Procedure.....	196		742		742				
127. Senator VAN PATTEN: An act to amend section 1 of chapter 31 of House bill No. 62 of the Session Laws of the State of Washington for 1893, entitled "An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals".....	197	289							
128. Senator DAVIS: An act creating a board of regents to govern, control, conduct and maintain the educational institutions of the State of Washington, and providing for a uniform system of government for the same.....	197								
129. Senator DAVIS: An act to amend sections 3, 8 and 10 of an act entitled "An act regulating county surveyors, defining their powers and regulating their duties," Session Laws, 1893, and declaring an emergency.....	197	381	698	698					
130. Senator BURNES: An act to facilitate the execution, transfer and assignment of real estate mortgage securities.....	197	287							
131. Senator BAUS: An act for the relief of the members of the electoral college.....	204	216	216		216		421	423	502
132. Senator BAUS: An act to fix the salary of the reporter of the supreme court, providing for the payment thereof, and declaring an emergency.....	204	265							

132.	Senator HILL: An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on certain of the same as part of the lawful expense of the principal or principals of the same, and declaring an emergency.....	204							
134.	Senator EASTERDAY (by request): An act in relation to proceedings in probate, amending sections 1299, 1300, 1311, 1361, 1389 and 1556 of the Code of Washington of 1881, as amended respectively by sections 845, 846, 848, 873, 911 and 1069 of volume 2 of Hill's Annotated Statutes and Codes of Washington; sections 1312, 1350, 1351, 1355, 1356, 1361, 1365, 1391, 1400, 1438, 1465, 1467, 1472, 1491, 1509, 1550 and 1566 of the Code of Washington of 1881, being also respectively sections 849, 862, 863, 867, 868, 876, 877, 878, 903, 912, 950, 977, 979, 984, 1003, 1021, 1063 and 1079 of volume 2 of Hill's Annotated Statutes and Codes of Washington; and sections 1494 and 1495 of the Code of Washington of 1881, being also respectively sections 1006 and 1007 of volume 2 of Hill's Annotated Statutes and Codes of Washington, as amended by the act of March 21, 1895; and repealing sections 1313 and 1547 of the Code of Washington of 1881, as amended respectively by sections 850 and 1060 of volume 2 of Hill's Annotated Statutes and Codes of Washington; and sections 1352, 1377, 1544, 1545, 1546, 1548 and 1549 of the Code of Washington of 1881, being also respectively sections 861, 889, 1057, 1058, 1059, 1061 and 1062 of volume 2 of Hill's Annotated Statutes and Codes of Washington.....	204	415	525	526				
135.	Senator EASTERDAY: An act in reference to executors of wills and the settlement of estates of them without administration.....	205	439						
136.	Senator TAYLOR: An act relating to altering or changing county lines.....	205							
137.	Senator HARPER: An act further to regulate, restrain, license and prohibit the sale of intoxicating liquors.....	205	400						
138.	Senator VAN PATTEN: An act to provide for the recovery of a reasonable attorney fee by the prevailing party in civil actions for damages.....	213	400		401				
139.	Senator KEITH: An act amending section 1 of chapter 42 of the Session Laws of 1893, relating to the liens of judgments on real estate.....	213	439						
140.	Senator EASTERDAY: An act to provide for the removal of the state library from the city of Olympia, and its location in the city of Tacoma, Pierce county, Washington, and making an appropriation therefor.....	214							
141.	Senator LESH: An act relating to exemptions of personal property.....	214	392	506	562	508 564	697	716	723
142.	Senator EASTERDAY: An act to provide for the holding of the sessions of the supreme court in the city of Tacoma, Pierce county, State of Washington, and making an appropriation for expense of removal to said city.....	214							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House	Signed by President.....	Signed by Speaker of House.....	Approved and signed by the Governor
143. Senator EASTERDAY: An act relative to exemptions of property from sale on executions.....	214	393							
144. Senator DAVID MILLER: An act providing for the employment of convicts confined in the state penitentiary.....	214	390	606		606				
145. Senator DORR: An act making an appropriation for the state normal school at New Whatcom, Washington.....	214								
146. Senator DORR: An act to amend section 227 of volume 2, Penal Code, of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters.....	214	{ 308 } { 388 }	332		332	352	388	409	427
147. Senator DAVIS: An act authorizing and empowering boards of county commissioners to give, grant and convey real property belonging to their respective counties to the State of Washington, and declaring an emergency.....	215	283							
148. Senator COLE: An act for the regulating of the sale of property under execution and decrees.....	215	402	466		506	571	679	682	738
149. Senator WARBURTON: An act relating to contracts of insurance.....	229	450	509	524	524				
150. Senator RANGE: An act amending sections 7 and 8 of chapter 56 of the Laws of Washington, 1893, entitled "An act in relation to garnishments," and approved March 8, 1893.....	229								
151. Senator RUNNER: An act relating to railroads.....	229	{ 270 } { 491 }	474	372	506				
152. Senator TAYLOR: An act to regulate the sanitary construction of house drainage and plumbing.....	232	519	730		730	752	781	781	
153. JUDICIARY COMMITTEE: An act to amend section 2276 of the Code of 1881, relating to the duties of coroner when sheriff is incapacitated.....	232		278	332	278	421	424	432	502

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TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

	NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate	Vote on final passage.....	Report from House	Signed by President	Signed by Speaker of House.....	Approved and signed by the Governor
165.	Senator DAVIS: An act for expediting the completion of the state capitol building, and making an appropriation therefor.....	261								
166.	Senator DAVIS: An act providing for and regulating appeals to the superior court from any decision or order of the board of county commissioners.....	261	441							
167.	Senator DAVIS: An act to provide for the establishment, maintenance and support of a bureau to be known as the "state mining bureau," and to define its powers and duties, and declaring an emergency.....	261	626							
168.	Senator KEITH: An act to prohibit and punish the importation and sale of unwholesome dairy products within the state.....	273	437							
169.	Senator EASTERDAY: An act relating to witness fees.....	273	438							
170.	Senator PLUMMER: An act to amend section 1672 of volume 2 of Hill's Code, relating to depositions, and declaring an emergency.....	273	658	775		775	782	798	794	
171.	Senator PLUMMER: An act relating to negotiable papers.....	273	437	710		710	757	772	783	
172.	COMMITTEE ON STATE CHARITABLE INSTITUTIONS (substitute for Senate bill No. 81): An act to amend section 2 of an act of the legislature of the state of Washington entitled "An act to provide for the establishment and maintenance of a home for honorably discharged union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty," and who are bona fide citizens of this state," approved March 26, 1890.....	273		509		524				
173.	Senator Houghton: An act in relation to instructions to juries in civil and criminal cases.....	274	438							
174.	Senator BAUM: An act providing for the disorganization and liquidation of irrigation districts which have no bonded indebtedness, and the winding up of their affairs.....	274	486				771	798	794	

175.	Senator CROW: An act making an appropriation for the improvement and equipment of the agricultural college, experiment station and school of science, and for the reimbursement of the Morrill fund.....	274	486						
176.	Senator T. J. MILLER: An act fixing the date of maturity of checks, drafts, certificates of deposit and other evidences of indebtedness, and declaring an emergency.....	274	437						
177.	Senator HUGH: An act providing for a constitutional amendment relating to the salaries of state officers.....	274	399	602					
178.	Senator KEITH: An act to amend section 4 of the act entitled "An act regulating the manufacture of dairy produce, to prevent deception or fraud in the sale of the same or imitation thereof, providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon the chemists of the state institutions, providing penalties for the violation of this law, making an appropriation, and declaring an emergency," of the Session Laws of 1895, approved March 11, 1895.....	281	436						
179.	Senator LESTER: An act providing for a constitutional amendment relating to the reduction of the salaries of the superior court judges.....	282							
180.	Senator DAVID MILLER: An act to repeal an act to provide for state grain weighing and grading, creating the office of state grain inspector, establishing a state grain commission and making an appropriation of \$2,000.....	282	626						
181.	COMMITTEE ON JUDICIARY: An act authorizing the bringing of suits for the distribution of funds of insolvent insurance companies in the hands of the treasurer of the state.....	295		369	370	570	597	634	655
182.	COMMITTEE ON JUDICIARY: An act relating to bonds in actions and proceedings.....	296		375	375				
183.	COMMITTEE ON JUDICIARY: An act in relation to the legislative manual.....	296		372	372				
184.	Senator EASTERDAY: An act to provide for the incorporation of chambers of commerce, boards of trade and other kindred associations.....	296	440						
185.	Senator TAYLOR: An act to prevent corrupt practices at elections.....	296	378						
186.	Senator TAYLOR: An act relating to the settlement of community estates and estates held in common, and amending sections 1086, 1089 and 1093, volume 2 of Hill's Annotated Statutes and Codes of Washington.....	296	452					527	
187.	Senator TAYLOR: An act relating to public highways, cycle paths and ways.....	296	438					700	

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
188. Senator LEAH: An act creating a board of forest commissioners, defining its powers and duties, and declaring an emergency.....	334	393	510		510				
189. Senator TAYLOR: An act relating to justice courts.....	334								
190. Senator MEGLER: An act appropriating money for the maintenance of the state fish hatcheries.....	334	516							
191. Senator DAVIS: An act to regulate the weight of loads to be carried on wagon tires of given width upon the public roads in the State of Washington, and providing a penalty for the violation thereof.....	334	489							
192. Senator DAVIS: An act relating to state road commission.....	335								
193. Senator DAVIS: An act to encourage the use of wide tires on wagons in the State of Washington.....	335	488							
194. Senator VAN PATTEN: An act to amend an act relating to public lands, and declaring an emergency.....	335	625	699		699	714	741	748	
195. Senator T. J. MILLER: An act relating to competency of jurors.....	335	416							
196. Senator CROW: An act amending section 496, subdivisions 4 and 5, chapter 3, volume 2 of Hill's Annotated Codes and Statutes, in relation to exemptions.....	346								
197. Senator KEITH: An act providing for the survey and establishment of a state road, creating a commission, defining their duties, and making an appropriation therefor.....	346	614							
198. Senator PLUMMER: An act in regard to the rights of municipal corporations in navigable streams and waters, and giving them power to utilize the same by lease or otherwise.....	346	454							

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218.	Senator T. J. MILLER: An act to regulate and establish reasonable rates of compensation for the carrying of freight or express matter by express companies doing business within this state, and fixing a penalty.	383	659						
219.	Senator HILL: An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington.	384							
220.	Senator EAST-DEKAY: An act for the relief of the Union Savings Bank & Trust Company, a corporation, and making an appropriation therefor.	384	{ 641 } { 490 }					717	731
221.	Senator McREAVY: An act to divide the State of Washington into two districts for the purpose of regulating the fishing industry and for the protection of food fishes.	384	613	717					
222.	Senator DAVIS: An act to prevent the confiscation, by means of fines or otherwise, of the wages of minors employed by firms and corporations.	374	414						
223.	COMMITTEE ON JUDICIARY (substitute for House bill No. 146): An act fixing the per diem and mileage of witnesses.	383							
224.	COMMITTEE ON JUDICIARY (substitute for Senate bill No. 98): An act imposing a tax of two per cent on premiums received by fire insurance companies in villages, towns or cities having organized fire departments therein, and appropriating the same for the support and maintenance of such fire departments.	384		459			459		
225.	Senator McREAVY: An act for expediting the completion of the state capitol building, and making an appropriation therefor.	384							
226.	Senator WOOLSTE: An act relating to superior court commissioners, and amending section 1 of an act entitled "An act relating to the appointment, powers and duties of superior court commissioners, and declaring an emergency," approved March 19, 1905.	384	517						
227.	COMMITTEE ON EDUCATION: An act to establish a code of the laws of the State of Washington.	384	{ 423 } { 540 }	444			444		
228.	Senator LESH: An act for the maintenance and support of the Washington state fair, and making an appropriation therefor.	384							
229.	Senator LESH: An act in relation to elections.	384	654						
230.	Senator T. J. MILLER: An act amending section 2968 of volume 1, Hill's Annotated Statutes and Codes, relating to the salary of the clerk of the supreme court.	385	455						

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
231. COMMITTEE ON STATE PENAL AND REFORMATORY INSTITUTIONS: An act to amend section 20 of an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency," approved March 9, 1891, being section 1160 of the first volume of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill.....	391		606		606	767	773	783	
232. Senator TAYLOR: An act relating to the confirmation of sheriff's sales.....	391	517							
233. COMMITTEE ON JUDICIARY: An act to amend section 1443 of the Code of Washington of 1881, the same being section 956 of the second volume of Hill's Annotated Codes of Washington, and in regard to settlement of estates of decedents.....	403		527		527	763	791	794	
234. COMMITTEE ON JUDICIARY: An act regulating the sale of real property on decrees of foreclosure and execution.....	403			701					
235. Senator CROW: An act to amend section 4 of an act passed by the legislature and approved by the governor March 20, 1895, entitled "An act authorizing actions against the state".....	403		642		642	760	772	781	
236. Senator HUGH: An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to state board of health.....	404								
237. Senator LAMM: An act for the prevention and suppression of forest fires, and declaring an emergency.....	404	448	511		511				
238. Senator McREAVY: An act amending section 63 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to the taking of saw logs or timber without permission.....	404	514							
239. COMMITTEE ON STATE PENAL AND REFORMATORY INSTITUTIONS: An act relating to improvements at the state penitentiary.....	404	606							

240.	Senator DAVIS: An act to encourage the use of wide tires on vehicles, and to protect the public highways of the state, and improve the same by regulating the width of tires upon wagons made for carrying heavy burdens, and providing a penalty for violating the provisions thereof, and declaring an emergency.....	404	488					
241.	Senator BAUM: An act regulating the killing and slaughtering of horned cattle, providing for the keeping of their hides and ears, and providing a penalty for the neglect or refusal so to do.....	405	611					
242.	Senator T. J. MILLER: An act for the relief of the Capital City Abstract and Title Insurance Company.....	405	{ 538 } { 593 }	758	771	789	794	
243.	Senators WARRINGTON, WASHBURN and LEWIS: An act relating to justices of the peace and constables in cities having more than twenty thousand inhabitants, and fixing their number and salaries.....	405	694		694	752	786	
244.	Senators WARRINGTON, WASHBURN and LEWIS: An act relating to municipal courts; fixing salaries of judges and clerks thereof, and giving jurisdiction in actions removed by change of venue from justices of the peace.....	405						695
245.	Senators WARRINGTON, WASHBURN and LEWIS: An act to amend an act entitled "An act providing for changes of venue from justices of the peace," the same being section 1408, volume 2 of Hill's Annotated Statutes and Codes of Washington.....	405						
246.	Senator VAN PATTEN: An act relating to appeals by cities and towns in cases involving a violation of a city or town ordinance.....	419						
247.	Senator COLE: An act to provide for the election of a clerk of the supreme court of the State of Washington, fixing his term of office and compensation, prescribing the duties of said office, and providing for the filling of vacancies therein.....	419	659					
248.	Senator PLUMMER: An act for the relief of Moffatt Brothers.....	419	{ 538 } { 592 }	758	759			
249.	Senator PLUMMER: An act amending section 974 of the second volume of Hill's Annotated Statutes and Codes of Washington.....	419						
250.	Senator DAVID MILLER: An act for the relief of George W. Babcock.....	420	448					{ 483 } { 484 }
251.	Senator RANGLER: An act to protect the health of miners.....	420				778	783	

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President	Signed by Speaker of House	Approved and signed by the Governor
252. Senator T. J. MILLER: An act relating to the disposition of moneys received from the United States for the support of the soldiers' home of the State of Washington, and repealing an act entitled "An act authorizing the state treasurer to receive from the United States any sum of money for the benefit of the Washington state soldiers' home, under the provisions of the act of congress approved August 27, 1898, entitled 'An act to provide aid for state or territorial homes for the support of disabled soldiers and sailors of the United States,' and declaring an emergency," approved February 20, 1893.	420		509		510	757	783	783	
253. Senator PLUMMER: An act to regulate the hours of the state librarian during the recess of the supreme court.	420		572						
254. Senator DORR: An act to regulate the affairs of the inhabitants of the State of Washington	421								
255. Senator WARRINGTON: An act amending an act entitled "An act to authorize counties, cities and towns to issue bonds to fund their outstanding indebtedness, and to provide for the levy and collection of a specific tax to pay the principal and interest on such bonds, and declaring an emergency," approved March 22, 1895, and declaring an emergency.	424	613							
256. Senator FRANK: An act in relation to manual training schools, and providing for the maintenance, control and regulation thereof.	424	613							
257. Senator HOUARTON: An act to amend section 6 of an act entitled "An act to prevent and punish gambling," approved November 13, 1879.	424	515							
258. Senator MEYER: An act for the protection of sturgeon in the waters of the Columbia river and its tributaries.	424	543	718		718	781	791	794	

259.	Senator KIRTH: An act prohibiting the maintenance, construction and use of fixed appliances and seines for the catching of salmon and other food fishes in certain waters and in parts of certain waters of the State of Washington, and regulating the licensing and use of the same in certain other of the waters of said state including the Columbia river, and for the licensing of gill nets and drift nets, and providing for the disposition of the funds arising therefrom, and repealing an act of the legislature of the State of Washington, approved March 10, 1883, entitled "An act regulating fish traps, pound nets, weirs, set nets, fish wheels or other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries and Puget Sound; for providing for the licensing thereof, and the disposition of the funds arising therefrom, and declaring an emergency.....	444	531	719	720	771	797	797	.....
260.	Senator BAUM: An act providing for the service of summons and complaint upon corporations which have been doing business in this state, where such corporations are in the hands of a receiver, and there are no officers in this state upon whom summons and complaint can be served.....	464	611	724	725	771	792	794	.....
261.	COMMITTEE ON CLAIMS AND AUDITING (Substitute for Senate bill No. 280): An act for the relief of George W. Balcock.....	460			484				.....
262.	Senator PLUMMER: An act relating to building and loan associations.....	460	490						.....
263.	JOINT COMMITTEE ON REVENUE AND TAXATION: An act to provide for the assessment and collection of taxes in the State of Washington.....	460		575	{ 676 } { 678 } { 682 }	{ 506 } { 706 }	{ 676 } { 679 } { 686 } { 715 } { 752 }	762	771
264.	Senator PLUMMER: An act declaring bicycles to be baggage, and providing for the carrying of the same by railroad companies.....	460	658						.....
265.	Senator RANGE: An act for the relief of D. B. Ward.....	460	538						.....
266.	Senator RUNNER: An act appropriating the sum of four hundred and fifty-six dollars and twenty-five cents (\$456.25), payable to Mike Wanka and others, out of the general fund.....	460	490						.....
267.	Senator RUNNER: An act for the relief of Giles and Peat.....	461	499						.....
268.	Senator BAUM: An act to prevent the destruction, mutilation or defacement of land marks, monuments and notices upon mining claims, and providing a penalty therefor.....								.....
269.	Senator VAN PATTEN: An act to amend sections 29 [28] and 35 [34] of an act entitled "An act to provide for state grain weighing and grading, and creating the office of the state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000, approved March 19, 1885".....		543	710	710	757	772	783	.....
		464	626						.....

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House	Signed by President	Signed by Speaker of House.....	Approved and signed by the Governor
270. COMMITTEE ON PUBLIC MORALS: An act providing for the submission to the voters of the proposition of adopting the Cline dispensary law.....	464			729					
271. COMMITTEE ON STATE GRANTED, SCHOOL AND TIDE LANDS (substitute for Senate bill No. 110): An act to amend an act entitled "An act extending the time of payments on contracts for the sale of school lands for agricultural or grazing purposes, made under the acts of the legislature approved March 28, 1890, and March 15, 1893, respectively"	464								
272. COMMITTEE ON STATE GRANTED, SCHOOL AND TIDE LANDS: An act relating to granted, shore and tide lands, and to actions and proceedings relating to such lands.....	464								
273. COMMITTEE ON APPROPRIATIONS: An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1897, and ending March 31, 1899.....	471	690	692		{ 692 } { 795 }	{ 738 } { 791 } { 796 }	799	799	
274. Senator LESH: An act defining the duties of physicians, accoucheurs and surgeons.....	480	612	725		726				
275. Senator RUNNER: An act appropriating the sum of fifty-five thousand dollars (\$55,000) for the erection of a three story brick building and furnishing the same at the Eastern Washington hospital for the insane.....	480								
276. Senator HOUGHTON et al.: An act to abolish the office of lieutenant governor.....	480								
277. Senator LESH: An act to amend sections 24 and 33 of an act entitled "An act defining a homestead and providing for the manner of the selection of the same," approved March 13, 1895.	481	612							
278. Senator LESH: An act providing for a constitutional amendment relating to the reduction of the salaries of the superior court judges	481	612							

279.	Senator LUSH: An act relating to penalty and interest on state county and municipal taxes which were levied during the years of 1893 and 1894, and relating to the taxes, penalties and interest becoming due prior to the year of 1894, and declaring an emergency.	481	613					
280.	Senator RANNEY: An act providing that the supreme court judges shall call meetings of the supreme and superior court judges not less than thirty nor more than sixty days immediately preceding each regular session of the legislature, at the courtrooms of the supreme court, to consider laws necessary to the peace and order of the administration of justice, and providing for the payment of actual expenses of superior court judges in attending the meetings so called.	502						
281.	Senator BAUM: An act relating to the service of process by sheriffs and other officers, and repealing section 2772 of the Code of 1881.	502	611	731		731		
282.	Senator DECKENBACH: An act to prevent and exempt from sale or lease or disposition by the state of any of the Pacific ocean shore or beach situated within the State of Washington, and to rescind all contracts for the sale thereof heretofore made by refunding all moneys already paid upon such contracts, and declaring an emergency.	503						
283.	Senator RANNEY: An act to provide for the establishment of a state road extending from the city of New Whatcom to the head of navigable water on the Cowlitz river, and providing an appropriation therefor.	503	688					
284.	Senator McREAVY: An act defining the crime of fornication, and punishing the same.	503						
285.	Senator RUNNER: An act for the relief of H. T. Winn.	503	{ 660 } { 693 }					
286.	COMMITTEE ON JUDICIARY (substitute for H. B. No. 45): An act relating to the issuance, service and return of process issued by justices of the peace and summons in garnishment in justices' courts, and amending an act entitled "An act to amend an act entitled 'An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuing, service and return of process issued by justices of the peace, and to provide for the service and return of summons and complaint and notice issued by justices of the peace by persons other than sheriffs and constables,' approved March 20, 1895," and repealing sections 1458 and 1459 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, and amending sections 1501 and 1503 of said statutes and codes.	604	604	604		604	683	695
287.	Senator T. J. MILLER: An act appropriating the sum of ten thousand dollars, or so much thereof as is necessary, for the payment of the salaries of members and employees, and other expenses of this session of the legislature.	604						697

TITLE AND HISTORY OF SENATE BILLS—CONCLUDED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House	Signed by President	Signed by Speaker of House.....	Approved and signed by the Governor
288. CONFERENCE COMMITTEE (substitute for House bill No. 371): An act fixing the fees to be paid to the secretary of state by corporations doing business in this state, and declaring an emergency.....	.....	.....	701	775	{ 702 } { 775 }	{ 714 } { 715 } { 768 }	789	794	.....
289. Senator PLUMMER: An act to amend section 1 of an act entitled "An act establishing a board of pardons, defining its duties, and declaring an emergency"	683	.....	709	.....	709	723	717	731	.....
290. Senator WINSON: An act relating to the publication of notices of sale of property on execution or order of sale.....	{ 697 } { 767 }	.....	{ 697 } { 767 }	718	697	{ 722 } { 780 } { 783 }	789	794	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President
5. Mr. A. S. BUSH: An act to amend an act entitled "An act to provide for annexing certain county territory to a neighboring county to which it is contiguous," approved March 9, 1891.....	175	175							
6. Mr. A. S. BUSH: An act prescribing punishment for rape and for carnal knowledge of any female under eighteen years of age, and repealing section 28 of the Penal Code of Washington, as numbered in Hill's Annotated Penal Code of Washington.....	173	175					175		
13. Mr. POWELL: An act to amend section 23 of an act entitled "An act in relation to garnishments," approved March 8, 1893.....	203	203	343	366	366			409	409
14. Mr. MERRIFIELD: An act establishing the mileage rate for state, county and municipal officers, witnesses and jurymen.....	367	373							
17. Mr. BARLOW: An act to amend an act entitled "An act to amend section six (6) of an act entitled 'An act to prescribe the duties and fix the compensation of the reporter of the supreme court,' approved December 20, 1889, and declaring an emergency," approved February 26, 1891, and declaring an emergency.....	{ 228 } { 422 }	231	287	339	339		{ 422 } { 485 }	514	553
23. Mr. WILKESON: An act making an appropriation to continue the operation of the state salmon hatcheries.....		20	45	46	46			101	105
24. Mr. DE MATROS: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the qualifications of electors.....	250	252							
25. Mr. DE MATROS: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to the jurisdiction and powers of the supreme court.....	250	252	397				427		
26. Mr. GURIE: An act to provide for the platting of real estate by the personal representatives of decedents.....	131	135	456						

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed.....	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President.....
27. Mr. GUIE: An act to provide for exemptions in cases of assignments for the benefit of creditors.....	161	174	223	242	242		424	272	272
28. Mr. GUIE: An act for the protection and welfare of children.....	161	174	{ 305 } { 693 }						
30. Mr. GUIE: An act to amend section 1439 of volume 1 of the General Statutes and Codes of Washington, arranged and annotated by William Lair Hill, concerning the recording of deeds and mortgages.....	131	132		201	201			239	240
31. Mr. GUIE: An act to provide for the record of assignments and satisfactions of judgments, and of transcripts of such assignments and satisfactions.....	131	132	223	239	239			332	334
32. Mr. LAND: An act requiring street railways and street car companies or corporations owning or operating street railways or street car lines, to employ competent men to operate and assist in operating cars and dummies on such car lines, and defining the meaning of who competent men are for such service, and providing a penalty for the violation of this act.....	{ 206 } { 305 } { 383 }	213	237	255	256		348	388	388
35. Mr. GILKEY: An act relating to boom companies, prescribing their duties and fixing their liabilities, and for other purposes	544	549	663						
38. Mr. HANSEN: An act to prevent vivisection and regulate dissection in the schools of the State of Washington, except medical and dental schools or medical departments of any school, and providing a penalty therefor.....	162	175	212	331	331			368	368
41. Mr. JERRY: An act abolishing the office of lieutenant governor.....	229	230	235						
43. Mr. WARNER: An act for the relief of Snohomish county.....	367	373	{ 449 } { 693 }	754	755			767	767
45. Mr. GUIE: An act relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of peace, by persons other than sheriffs and constables...	131	132	517						

INDEX.

47.	Mr. F. R. BAKER: An act fixing and prescribing the liabilities of companies and corporations operating railways within the State of Washington for negligence or wrongs of employes, and declaring an emergency.....	125	132	161				{ 161 207 }			
51.	Mr. WITT: An act regulating the sale of jute fabrics and brick at the state penitentiary	291	295	390							
52.	Mr. WITT: An act to provide for the amendment of section 23 of article 2, and sections 14, 16, 17, 19, 20, 21 and 22 of article 3, and section 14 of article 4 of the constitution of Washington, relative to the reduction of salaries of state officers, judges of the superior court and members of the legislature....	544	549								
56.	Mr. NELSON: An act to amend section 13, chapter 162 of the Session Laws of Washington for the year 1895, pertaining to the time of electing road supervisors, and repealing all acts and parts of acts in conflict therewith....	474	503	687							
66.	Mr. A. S. BUSH: An act providing for the survey and location of a wagon road and public highway from a point at or near Montesano, in the county of Chehalis, State of Washington, by way of North River valley, Willapa, South Bend, the Nehalem river and Nasel river valleys, to a point on the Columbia river at or near Knapton or Hungry Harbor, and making an appropriation therefor.....	650	668	693	754	754			767	767	
67.	Mr. KITTINGER: An act to amend sections 4 and 10 of an act entitled "An act to regulate the mode of proceeding to appropriate lands, real estate or other property, by corporations for corporate purposes, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency," approved March 21, 1890; the same being sections 651 and 657 of volume 2 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency.....	368	372	537	569	569			635	651	
68.	Mr. KITTINGER: An act to extend the right of eminent domain to mining, milling or reduction-works companies, and declaring an emergency.....	{ 368 414 }	373	537	708	708			782		
71.	Mr. J. O. EDWARDS: An act making it unlawful for corporations to pay the wages of workmen by them employed in either store goods, merchandise, written or verbal orders or time checks, and providing punishment for the violation thereof	599	621								
72.	Mr. CONINE: An act to prohibit the manufacture, sale, purchase or gift of cigarettes, cigarette paper or cigarette wrappers, and providing a penalty therefor, and declaring an emergency.....	161	175	573							
75.	Mr. C. P. BUSH: An act amending an act entitled "An act accepting the terms of the act of congress approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making an appropriation therefor, and declaring an emergency," providing for an irrigation commissioner.....	633	664	685							

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed.....	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President.....
81. Mr. LAND: An act creating a bureau of labor, defining its duties, and appropriating money for its maintenance.....	291	294	418	482	482			514	553
94. Mr. DE MATTEO: An act to regulate the fees of jurors.....	229	230	{ 283 } { 344 }	369			369		
97. Mr. G. H. BAKER: An act in relation to and to prevent the introduction or spread of disease among sheep, and repealing an act in relation to and to prevent the introduction or spread of disease among sheep, approved February 2, 1888, and declaring an emergency.....	229	230	290	381	361			445	445
99. Mr. GERAGHTY: An act for the better protection of railway switches.....	292	294	417	567	567				
102. Mr. GERAGHTY: An act to regulate the labor of railway employes.....	291	294	418						
107. Mr. HICKS: An act to prohibit capital punishment in the State of Washington.....	229	231	{ 306 } { 397 }				427		
108. Mr. LAND: An act to provide ways and means to irrigate the arid lands of this state by the issue of non-interest bearing warrants and interest bearing bonds, and providing for the appropriation and expenditure of one million five hundred thousand dollars for the purposes of irrigation, and providing for the sale of the land so irrigated.....		672							
111. Mr. PIERSON: An act regulating and making it lawful for any farmer, gardener or other person to peddle, sell or deliver, free from all license, in any part of the state, and upon any day except Sunday, all fruits, vegetables or other farm or garden produce and all other eatables, making all ordinances in conflict void, and declaring an emergency.....	{ 173 } { 535 }	175	{ 226 } { 256 }	242			242		
112. Mr. J. O. EDWARDS: An act to regulate the weighing and measuring of coal mined in this state.....	260	272	398						
113. Mr. WILKINSON: An act providing for the dissolution of municipal corporations of the third and fourth classes.....	432	501	519	730	730			737	737

114. Mr. ROBERTS: An act allowing married women to act as administratrix or executrix of estates of deceased persons, and declaring an emergency.	203	314	388	388	.....	.....	431	431
117. Mr. NELSON: An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor."	{ 239 } { 555 }	297	482	{ 482 } { 507 }	507	370	578	579
119. Mr. PHILLIPS: An act relating to the recording of mining location notices, bonds, assignments and transfers of mining claims.	571	573	.....	.....	.....	.....	.....	.....
120. Mr. NELSON: An act to repeal sections 1, 2, 3, 4 and 7 of an act approved March 17, 1890, relating to the powers, rights and duties of corporations organized to build booms and to catch logs and other timber products therein.	239	453	.....	.....	.....	.....	.....	.....
121. Mr. NELSON: An act to amend section 1 of an act approved March 2, 1895, entitled "An act relating to nuisances, amending section 2863 of volume 1 of Hill's Annotated Statutes and Codes of Washington."	291	341	.....	.....	.....	369	.....	.....
126. Mr. A. S. BISHOP: An act for the relief of the Ilwaco Railway and Navigation Company, and granting to said company the right to construct, equip, maintain and operate its railroad and wharf over and upon certain tide lands in front of the town of Ilwaco, Pacific county, Washington, and declaring an emergency.	{ 474 } { 751 }	504	518	742	742	751	767	767
129. Mr. HONSTON: An act to authorize punitive or exemplary damages for injury to person or property in certain cases.	350	356	378	.....	379	.....	.....	.....
135. Mr. J. O. EDWARDS: An act for the protection of persons working in coal mines, and declaring an emergency.	260	272	416	557	557	.....	591	591
137. Mr. LESTER: An act to provide for the registration of voters in all school elections in school districts having a population of ten thousand or more inhabitants, and regulating elections in such districts.	291	{ 295 } { 391 }	{ 378 } { 417 }	431	431	378	578	579
146. Mr. HONSTON: An act fixing the per diem and mileage of witnesses in civil actions.	292	293	379	.....	379	.....	.....	.....
147. Mr. HONSTON: An act fixing the per diem and mileage of witnesses in criminal actions.	367	373	517	.....	.....	.....	.....	.....
149. Mr. STRATTON: An act to prevent railroad companies and other common carriers of passengers for hire issuing limited tickets or return tickets, and to enforce the same by adequate penalties.	535	548	608	.....	.....	.....	.....	.....
151. Mr. DAY: An act providing for the organization and regulation of banks.	729	733	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee	Passed reading and amendments	Vote on final passage	Indefinitely postponed	Withdrawn in Senate	Signed by Speaker of House	Signed by President
152. MR. J. O. EDWARDS: An act to provide for the recovery of the bodies of workmen entombed in coal mines.....	260	272	306						797
153. MR. LAND: An act making it unlawful to kill or poison honey bees, and making it unlawful to place any poisoned sweetened substance where it is accessible to honey bees, and prescribing the punishment therefor, and declaring an emergency.....	161	171	225	241	242		332	332	
162. MR. A. S. BYRN: An act to secure to the public the continued use of natural oyster beds.....	633	665	709	770	770			797	
165. MR. AMES: An act to amend section 42 of an act entitled "An act to provide for state grain weighing and grading, and creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000," approved March 19, 1895.....	600	618	687						
169. MR. DE MATROS: An act to prescribe the mode of appeal and what the transcript shall contain in all equity cases.....	600	618	734						
170. MR. DE MATROS: An act providing for the appointment, compensation and duties of court stenographers.....	591	619							
176. MR. H. D. SMITH: An act relating to the use or issue of free passes or transportation by or to public officials, providing a penalty, and declaring an emergency.....	229	231	607						
177. MR. C. SMITH: An act relating to an act to supply the codes to justices of the peace, and making an appropriation therefor.....	747								
179. MR. McATEE: An act for the protection of fish in stocked lakes.....	260	272	338						
180. MR. FIERSON: An act to provide for the official sealing of logs and lumber.....	590	620	636	771	771			798	798

182. Mr. MOORE: An act providing for the survey and location of a wagon road and public highway from a point at or near Lyle, Klickitat county, State of Washington; from thence westward along the north bank of the Columbia river to a point at or near Washlough, Clarke county, and making an appropriation therefor.....	649	666	693	751	751	794	794
184. Mr. MERRIFIELD: An act relating to dairy products, amending sections 2 and 3 of an act approved March 11, 1893, entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same or imitations thereof; providing for the appointment of a dairy commissioner and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency".....	228	230	250	279		350	350
186. Mr. WAY: An act to restore to Eugene Cullity his full legal rights of citizenship.....	292	295					
197. Mr. AXES: An act to amend section 35 of the Penal Code as compiled in volume 2, Hill's Annotated Statutes and Codes of Washington, defining and punishing the crime of seduction.....	228	230	344				
201. Mr. TOBIASSEN: An act repealing chapter 123 of the Laws of 1893, An act providing for the establishment of a system of improved roads in counties, and for the manner of laying out, constructing and maintaining the same.....	353	356	518				
206. Mr. STRUVE: An act to amend section 195 of volume 2, Hill's Annotated Statutes and Codes of Washington, the same being section 33 of the Code of Washington of 1881, relating to answers and the contents thereof, in civil actions, and declaring an emergency.....	291	294	345	369		369	
208. Mr. WILLIAMS: An act relating to jury trials, and prohibiting courts from taking case from jury after trial has commenced.....	752						
209. Mr. WILLIAMS: An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship, on the same as part of the lawful expense of the principal or principals on the same, and declaring an emergency.....	{ 579 } { 761 }	617	662	760	761	766	796
213. Mr. WILLIAMS: An act making claims for labor, damages, materials and supplies first and prior liens upon the property and assets of all corporations that may hereafter become insolvent, and declaring an emergency.....	600	620					
217. Mr. WILLIAMS: An act to protect employee and guarantee their right to belong to labor organizations.....	600	621	746				

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed.....	Alteration in Senate	Signed by Speaker of House.....	Signed by President
220. Mr. WILLIAMS: Defining crime of abduction.....	600		664						
221. Mr. LIKINS: An act to provide for an educational university in the State of Washington.....	574	521							
222. Mr. IRVIN: An act to destroy the squirrel pest, and declaring an emergency.....	600	618	686						
223. Mr. LIKINS (by request): An act for relief of claimants on section 16, township 38 north, range 2 east of Willamette meridian.....	653	672							
224. Mr. WAY: An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, and for the selection and reclamation of arid lands, which shall be generally known as the board of state land commissioners; defining their duties and making an appropriation therefor, and declaring an emergency.....	545	550			779	774	{ 775 } { 777 }	796	796
225. Mr. J. O. EDWARDS: An act entitled "An act to establish the number of hours to constitute a day's work on all state, county and municipal work".....	291	293	418						
227. Mr. TOBIASSEN: An act to amend section 9 of an act entitled "An act to protect salmon and other food fishes in the State of Washington and upon all waters over which this state has jurisdiction and concurrent jurisdiction," and approved February 11, 1891.....	600	620	684						
229. Mr. J. B. SMITH: An act to amend sections 3 and 16 of an act entitled "An act relating to the state library, and declaring an emergency," approved March 8, 1893, and declaring an emergency.....	544	549	572						

321. Mr. CAYWOOD: An act to amend section 87, Penal Code of Washington, relating to herding and driving sheep upon the lands of another.....	545	550	627						
232. Mr. DE MATTOS: An act establishing a board of pardons and defining its duties, and declaring an emergency.....	367	374	416		567		591		591
233. Mr. H. D. SMITH: An act to amend section 1363 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to the issuance of process in criminal cases.....	367	372	442						
234. Mr. MCATEER: An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, and to repeal sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington, and all other acts in conflict with this act, and declaring an emergency.....	292 540 679 698	293	435	528	530	603	742		742
238. Mr. WOLF: An act relating to "An act providing that a judgment against a railroad company for injury to person and property, shall be a lien upon the property of the company prior and superior to any mortgage or trust deed executed after the taking effect of this act".....	292	293	608						
240. Mr. SCOTT: An act to amend section 2 of an act entitled "An act to prevent trespasses by sheep upon certain land in this territory, and to punish the owners of such sheep for violations of this act," approved February 2, 1888, the same being section 87 of the Penal Code of volume 2 of Hill's Annotated Statutes and Codes of Washington, and repealing sections 1, 3 and 4 of said act, and declaring an emergency.....	291	295	436						
243. Mr. ROBERTS: An act providing for a uniform system of public blanks for use in the counties of the State of Washington and regulating the manufacture and sale thereof by the state, and making an appropriation therefor".....	292	293	452	567	567		591		591
244. Mr. PARKER: An act establishing legal rate of interest, and to prevent usury.....	304	{ 346 } { 427 }	{ 397 } { 518 }	426					
245. Mr. ROSS: An act to establish a state board of inspection for steam boilers and for the examination and licensing of engineers.....	589	619	734						
246. Mr. FORBES: An act fixing maximum rates of wharfage that may be charged, prescribing penalties, and regulating travel over docks and wharves in the State of Washington.....	291	295	417						
248. Mr. SCOTT: An act to amend an amendment to "An act providing for the organization and government of irrigation districts, and the sale of bonds arising therefrom, and declaring an emergency," the same being section 2, approved March 22, 1895.....	649	667	735						

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President
255. Mr. CLINE: An act repealing all acts or portions of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for the further regulation, restraint or prohibition of the manufacture and traffic in intoxicating liquors under a system of state control thereof, and prescribing penalties for violations of the same.....	387	391	455			729			
257. Mr. WILLIAMS: An act providing for the correction and revision of a portion of the plat of Seattle tide lands and an appraisement of the lots in the portion so revised and corrected, authorizing and prescribing the manner of readjustment of existing rights in accordance therewith, and declaring an emergency.....	445	441	456	463	463			483	483
260. Mr. MERRIFIELD: An act making an appropriation for the relief of T. M. Alvord, on account of failure in title to university lands.	535	549	{ 622 } { 642 }		642			653	683
262. Mr. WILLIAMS: An act providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of cities of the first class, prescribing the conditions under which the same may hereafter be disposed of, and declaring an emergency.....	446	444	456		462			506	506
264. Mr. NELSON (by request): An act to amend section 4 of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890.....	589	619							
267. Mr. WILKINSON: An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons in the State of Washington, defining crimes and misdemeanors and prescribing penalties in cases of the violation thereof, and repealing chapter 153 of the Session Laws of 1891.....	640								
275. Mr. MOUNSTROM: An act to compel railroads, companies or corporations operating railroads in this state to put in transfer switches.....	683	689							

278. Mr. AMES: An act subjecting franchises of private corporations to sale upon execution and upon order of sale under foreclosure of mortgage.....

281. Mr. HANSEN: An act amending an act entitled "An act exempting the proceeds of life insurance from liability for debt, and declaring an emergency," approved March 20, 1895.....

285. Mr. FRITZ: An act providing that corporations may be held liable for injuries sustained by employees, when resulting from negligence.....

286. Mr. H. D. SMITH: An act providing for collection of jury fees in civil actions.....

290. Mr. J. M. EDWARDS: Relating to duties of county commissioners.....

291. Mr. GERAGHTY: An act relating to the qualifications of officers of cities and towns, and declaring an emergency.....

302. Mr. MOORE: An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency.....

305. Mr. RICHMOND: An act relating to prohibiting bulls from running at large.....

307. Mr. KOELLER (by request): An act to provide for the establishment of a state road from Grand Forks, on the Wishka river, in Chehalis county, to La Push, in Clallam county, Washington.....

308. Mr. C. SMITH: An act to provide for the incorporation and to regulate the business of co-operative mining companies, and declaring an emergency..

309. Mr. C. SMITH: An act for the protection of persons storing grain in warehouses, and providing a penalty.....

310. Mr. GILKEY: An act to establish and maintain a fish hatchery on the Chehalis river or one of its tributaries, and appropriating funds therefor.....

311. Mr. DE MATTOS: An act providing for the proper charge of rebates allowed on taxes, and the proper disposition of penalties and interest collected on delinquent taxes, and declaring an emergency.....

315. Mr. ROSS: An act entitled "An act to repeal an act to provide for the economical management of county affairs, Statutes of 1893, approved March 15, 1893".....

317. Mr. BUSH: An act to provide for voting on an amendment to section 1, article 2 of the constitution of the State of Washington, embodying the right of direct legislation by the people.....

{ 350 } { 698 }	356	369	565	566	.....	.....	722
432	504	.....	640	641	.....	.....	675
600	618	.....	.....	.....	.....	.....	.....
600	620	734	.....	.....	.....	.....	.....
600	.....	.....	.....	.....	.....	.....	.....
432	505	.....	.....	.....	.....	.....	.....
{ 648 } { 768 }	667	.....	759	759	.....	.....	792
741	.....	.....	.....	.....	.....	.....	.....
649	666	693	754	754	.....	.....	792
545	550	734	.....	.....	.....	.....	.....
592	619	686	.....	.....	.....	.....	.....
683	689	768	769	769	.....	.....	788
650	667	735	.....	.....	.....	.....	.....
647	667	.....	.....	.....	.....	.....	.....
383	385	398	{ 554 } { 790 }	{ 555 } { 790 }	.....	601	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred	Report of Committee	Third reading and amendments	Vote on final passage	Indefinitely postponed	Alteration in Senate	Signed by Speaker of House	Signed by President
318. Mr. WINNOR: An act providing for the disposition of certain funds collected for road purposes from property subsequently included within the corporate limits of any city or town, and declaring an emergency.....	513	521	548	765	765			792	792
321. Mr. PIERSON: An act providing for the distribution of the public documents of the State of Washington.....	633	665	688						
322. Mr. PIERSON: An act establishing the state museum at the University of Washington.....	535	549	736						
325. Mr. FORNES: An act relating to pension money.....	722	726							
327. Mr. CARR: An act providing for the payment of the fees of grand and petit jurors, and declaring an emergency.....	649	668							
328. Mr. DE MATROS: An act to permit interested persons to sue upon certain bonds without assignment, and declaring an emergency.....	649	668							
334. Mr. LAND: An act to aid in the support of the University of Washington.....	514	521	735						
337. Mr. C. SMITH: An act in relation to the election of United States senators.....	592	620	660						
338. Mr. WITT: An act providing for the publication of summons, notices of sale and other court notices.....		620							
339. Mr. PIERSON: An act to prevent persons attending theatrical or other performances from wearing obstructing head gear.....	600	618							
342. Mr. PARKER: An act providing for the regulation of flouring mills in relation to the maximum rates of charges for grinding grain, and providing a penalty for the violation of this act.....	592	617	646						
347. Mr. DAY: An act to prevent corrupt practices at elections.....	600	614	661						

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TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONCLUDED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed.....	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President.....
375. Mr. STRUVE: An act to amend section 1418 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the adoption of legal heirs.....	271	292	486	568	568			591	591
380. Mr. THACKER: An act to provide for laying out and establishing private ditches and drains.....	683	689							
381. Mr. LUKINS: An act providing for cities of the third class.....	728	733							
384. Mr. BARLOW: An act providing for the reservation and improvement of a portion of the public highways for the accommodation of bicycles and foot passengers.....	{ 601 } { 721 }	621		700	700			714	714
387. Mr. IRVIN: An act to amend section 1265 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the removal of inmates of hospitals for the insane		665							
388. Mr. ROSS: An act amending sections 3122 and 3124 of volume 1, Hill's Code, relative to laborers' liens and claims.....	600		734						
393. Mr. P. M. SMITH: An act to authorize cities and towns which have purchased or constructed water works, or gas or electric light works, to lease or sell the same, and to ratify and confirm leases or sales of the same heretofore made by such cities and towns.....	723	727	750	750				767	767
394. Mr. KINCAID: An act to amend section 1285, Hill's Annotated Code of the State of Washington, volume 1, in relation to the soldiers' home.....	545	549							
398. Mr. WAY: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1898, relative to taxation.....	473	503	536	750	750			764	764
401. Mr. JORY: An act to prevent the confiscation, by means of fines and otherwise, of the wages of minors employed by firms and corporations.....	741								

402. COMMITTEE ON FORESTRY AND HORTICULTURE: An act to promote and protect the fruit growing and horticultural interests of the State of Washington; to provide for appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith; to appropriate money therefor.....	592	617	667	790	{ 790 } { 792 }	792	796	796
409. Mr. WITT: An act relating to making an appropriation for certain delinquencies of the previous fiscal term, and for other purposes.....	747							
411. Mr. KITTINGER: An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, cemeteries, parks and any combinations thereof, with all land and property required therefor, providing for payment therefor, repealing an act entitled "An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency," approved February 10, 1893, and declaring an emergency.....	{ 579 } { 748 }	602	625	744	745		764	764
412. Mr. KITTINGER: An act authorizing county commissioners to expend road tax money on highways.....	634	666						
413. Mr. KITTINGER: An act providing for the construction, maintenance and renewal of bulkheads or retaining walls upon or along streets in incorporated cities and towns, and providing for the assessment and collection of the cost thereof upon local districts benefited thereby.....	633	665						
414. Mr. KITTINGER: An act providing for the assessment and collection for street improvements in cities of first class, and declaring an emergency.....	633	665		786	786		796	796
415. Mr. KITTINGER: An act to provide for the construction and renewal of public water mains and sewers in incorporated cities and towns.....	714	726						
417. RAILROAD COMMITTEE: An act to establish and fix reasonable maximum rates of charges for the transportation of freight by railroad companies and other common carriers doing business in the State of Washington, and to correct abuses, and to prevent and prohibit discrimination by railroad companies and other common carriers doing business in the State of Washington against persons, firms, companies, corporations and localities in the matter of said rates and facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and providing for penalties by fine or imprisonment, or both such fine and imprisonment, for a failure to observe the rates and regulations and prohibition so established and fixed as aforesaid, and providing a method for determining the reasonableness of said rates and regulations, making an appropriation, and declaring an emergency.....	406 675 680 722	415	{ 491 } { 627 }	638	{ 638 } { 646 }	{ 644 } { 673 } { 749 }	796	796

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER. AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed.....	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President.....
418. Mr. BREW : An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 26, 29, 33 and 34 of "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895.	579	602	644	761	762				
420. Mr. HOOVER : An act to regulate and establish reasonable rates of compensation for carrying passengers and baggage on railroads in the State of Washington.	506	514	608						
427. Mr. BARLOW : An act to provide for the custody and preservation of the records and mementos of the Grand Army of the Republic.	650	648							
428. Mr. KINCAID : An act providing for the survey and establishment of a state road, creating a commission, defining their duties, and making an appropriation therefor.	649	667	693	753	753			788	788
437. JUDICIARY COMMITTEE : An act relating to costs in civil actions.	353	357	399						
438. Mr. GILKEY : An act to regulate splash dams on the streams of Washington.	601	621	662						
439. Mr. HAYES : An act to amend sections 1, 2, 4 and 5 of chapter 27 of the Session Law of 1893, an act entitled "An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor," approved February 23, 1893.	473	505	607						
445. Mr. LEWIS : An act relating to the survey and assessment of drained or meadow lands that were once under water, etc.	764								
447. COMMITTEES ON MINES AND MINING (substitute for House bill No. 65) : An act relating to a legal pay day.	600	620							

459. Mr. PHELPS: An act providing for a state road from Marcus, Stevens county, to Marble Mount, Skagit county.....	634	666	693	752	752	799	790
461. Mr. PHELPS: An act relating to salaries of county officers.....	728	733					
472. COMMITTEE ON EDUCATION: An act relating to the codification of the school laws.....	531	550	623	776	776	798	798
473. Mr. RADER: An act providing for an amendment to section 6 of article 7 of the constitution of the State of Washington, authorizing a system of non-interest bearing state warrants, receivable for taxes.....	432	504	663				
474. Mr. FORBES: An act relating to index to be kept by county auditors.....	728	733					
476. Mr. SUTTON: An act to aid the Washington state historical society.....	788						
479. MESSES, GILKE, and FREEMAN: An act in relation to the titles to land, and providing for greater facility in ascertaining the same.....	698	727					
485. Mr. CARR: An act to provide for the establishment and maintenance of a state road along the bank of the Columbia river from the town of Wenatchee, in Kittitas county, thence northerly on the west bank of said Columbia river via the bridge of said Wenatchee river (the same formerly being a ferry,) to the mouth of the Methow river; thence along the west bank of the Methow river to the mouth of the Twisp river, in the county of Okanogan.....	653	673	769	770	770	796	796
497. Mr. MOORE: An act relating to public cemeteries.....	752						
501. Mr. COSINE: An act providing for the establishment and construction of ditches for drainage purposes.....	683	689					
503. Mr. WAX: An act relating to assessments for local improvements.....	653	673					
516. Mr. FRITZ: An act to prevent the intimidation of voters.....	757						
517. Mr. FRITZ: An act regulating charges of telegraph companies, and providing penalties for its violation.....	714	727					
518. Mr. MITCHELL: An act relating to the relief of the Olympia Lumber and Lumber Company, J. D. Miller, J. C. Horr, Westside Mill Company, et al.....	752						
519. JUDICIARY COMMITTEE: An act to provide for the punishment of recalcitrant witnesses before committees appointed by the legislative bodies of the State of Washington, or either of them, and declaring an emergency.....	409	419	566	566		591	591
532. Mr. PHELPS: An act for the relief of William Day.....	758						

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.	Vote on final passage.....	Indefinitely postponed	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President.....
534. Mr. BARLOW: An act authorizing the acquiring, receiving, condemnation, laying out, grading and improvement of boulevards, or composite high-ways and walks, cycle paths and parks in connection therewith, by cities of the first class, and by counties where the said boulevard or highway and the walks, cycle paths and parks extend beyond the limits of such cities of the first class; and to provide for levying upon the property ben-efited thereby, and collecting special assessments to pay therefor, and for the issuance of bonds, payable in ten annual installments with inter-est, to provide means for carrying out said work.....	683	689		787	788			798	798
540. COMMITTEE ON JUDICIARY: An act amending section 37 of an act approved March 15, 1893, entitled "An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial"	647	669	734						
541. COMMITTEE ON JUDICIARY: An act to amend section 2179 of the Code of 1881, in relation to the duties of county clerk.....	647	669	734						
542. COMMITTEE ON JUDICIARY: An act relating to changes of venue in justice's courts, and repealing sections 1881 and 1938 of the Code of 1881.....	648	669							
543. COMMITTEE ON JUDICIARY: An act relating to the giving of bonds by municipal corporations in all actions and proceedings	648	669							
544. COMMITTEE ON JUDICIARY: An act to amend section 527 of the Code of 1881, in relation to security for costs.....	648	669							
546. COMMITTEE ON JUDICIARY: An act amending an act in relation to acquit-tal of criminals by reason of insanity.....	648	669							
547. COMMITTEE ON JUDICIARY: An act amending an act relating to disposi-tion of fines.....	648	670	734						
548. COMMITTEE ON JUDICIARY: An act to punish offenses against sovereignty of state	648	670	734						

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TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE — CONCLUDED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed	Alteration in Senate.....	Signed by Speaker of House.....	Signed by President
611. Mr. DE MATTOS: An act relating to justices of the peace and constables in incorporated cities, etc.	741								
620. COMMITTEE ON STATE BUILDINGS AND PUBLIC GROUNDS: An act for expediting the completion of the state capitol building, and making an appropriation therefor.....	{ 779 } 781 }	726	768	769	{ 769 } 780 }		779	796	796
629. Mr. GERAGHTY (substitute for House bill No. 100): An act to regulate employment bureaus and offices.....	650	668							
630. Mr. GILKEY (substitute for House bill No. 324): An act to amend an act entitled "An act directing the state treasurer to invest certain money in tide land fund in general warrants, and declaring an emergency," approved January 22, 1897.....	650	668							
631. Mr. GILKEY (substitute for House bill No. 326): An act to encourage the use of wide tires on vehicles, and to protect the public highways of the state, etc.....	722								

HISTORY OF SENATE MEMORIALS.

NUMBER, AUTHOR AND SUBJECT.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Vote on final passage	Other action in Senate	Message from House	Signed by Pres- ident of Senate.....	Signed by Speaker of House.....
1. Senator T. J. MILLER: Relative to matter of public lands.	77	237	276	$\left\{ \begin{array}{l} 277 \\ 302 \end{array} \right\}$	277			
2. Senator T. J. MILLER: Relative to wagon roads.	78	277	278	303				
3. Senator VAN PATTEN: To the Senate and House of Representatives of the United States.	88	236						
4. Senator HIGH: To the congress of the United States.....	232	299	406	406		541		
5. Senator KEITH: Relative to Cuban insurrection.....	256			257				
6. Senator HARPER: In relation to reserves for military and lighthouse purposes.....	281							
7. Senator CROW: Relating to land granted by congress to the Northern Pacific Railroad.	412							
8. COMMITTEE ON MEMORIALS: Relative to the election of United States senators by a direct vote of the people.....	465		465	465				
9. COMMITTEE ON MEMORIALS: Memorial to congress, praying for the passage of pension bill No. 2281.....	435		435	435				
10. Senator DAVID MILLER: Relative to survivors of Indian War of 1855.....	465		465	465		589	615	635
11. Senator DECKENBACH: Relative to enacting a law providing a tariff on imports.....	481	481	481	481				
12. Senator KEITH: Relative to the forest reserve.	674		674	674		697	716	723

HISTORY OF HOUSE MEMORIALS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT.	Received from House	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Vote on final passage.....	Indefinitely postponed	Other action in Senate	Signed by Speaker of House.....	Signed by President
1. Mr. WARNER: A memorial to congress praying that it recognize the fact that a state of war exists in Cuba.....	367	374	537			537			
2. Mr. A. S. BUSH: Providing for the election of United States senators by direct vote of the people.....	93	137	433						
3. Mr. GILKEY: A memorial asking congress to establish a life saving station on the coast of Washington at the mouth of Gray's Harbor.. ..	{ 368 } 579	373	433	552	{ 552 } 561		560	591	591
5. Mr. WILLIAMS: Relative to the representation of Alaska.....	600	621							
6. Mr. CARR: A memorial addressed to congress in regard to Indian wars extending from 1847 to 1856, and urging the passage of a pension bill for the benefit of the veterans engaged in these wars.....	367	373	434						
8. Mr. HAGADORN: Relative to building a lighthouse and harbor at the mouth of the Quillayute river.....	368	374	434	554	554			635	651
11. Mr. F. R. BAKER: A memorial asking that the restrictions on the Puyallup Indians, relating to the sale of their lands, be removed.....	291	297	434						
12. Mr. CONINE: Relative to the acknowledgment of the claims of William A. Newell as the originator of the system of life saving service of the United States.....	332	346	434	551	552			591	591
13. Mr. CAYWOOD: A memorial to congress praying that an appropriation of \$25,000, made in the last river and harbor bill, for the improvement of Clearwater river, be supplemented in the next river and harbor bill by an appropriation of not less than that amount for the continuance of the work	473	504	657						
14. Mr. HAGADORN: Asking the congress of the United States to abolish the La Push Indian reserve at the mouth of the Quillayute river.....	698	727							

15. Mr. CLINE: In relation to establishment of postal savings banks.....	549	621				
16. Mr. MOHNSDO: A memorial to congress relating to a national soldiers' home at Fort Sherman, Idaho.....	432	474	474	474	514	533
17. Mr. WARNER: Relating to forest reserve proclamation of February 22, 1897....	647	650	650	651	679	679

HISTORY OF SENATE JOINT AND CONCURRENT RESOLUTIONS.

NUMBER, AUTHOR AND SUBJECT.

	Presented in Senate.....	Report of Committee.....	Action in Senate.....	Message from House.....	Signed by President.....	Signed by Speaker..
1. Senator HARPER: To investigate proposition of postmaster of Olympia relative to furnishing mail carriers for legislature.....	9		{ 10 } { 14 }			
2. Senator MEISTER: Relating to the appointment of a committee to notify governor of the organization of the legislature.....	17		17			
3. Senator KEITH: Relative to Cuban insurrection.....	17	236	236			
4. Senator T. J. MILLER: Relative to filing of affidavit by candidates for the United States senate that they have not used money, directly or indirectly, to influence the vote of any member of legislature.....	18	162				
5. Senator CROW: Relative to the matter of Cuban insurrection.....	18	235				
6. Senator RUNNER: Relative to printing of rules of Senate, rules of House, and joint rules.....	76					
7. Senator RANGER: Instructing Appropriation Committee to prepare appropriation bill.....	81					
8. Senator DORR: Relative to investigating committee of state penitentiary.....	73		73			
9. Senator HUGH: Relative to procuring Session Laws for use of the members.....	189		{ 189 } { 186 }	{ 304 } { 353 }		
10. Senator CROW: Relative to the retirement of greenbacks.....	202	433				
11. Senator T. J. MILLER: Relative to state treasurer.....	211		211			

HISTORY OF SENATE JOINT AND CONCURRENT RESOLUTIONS—CONCLUDED.

NUMBER, AUTHOR AND SUBJECT.	Presented in Senate.....	Report of Committee.....	Action in Senate.....	Message from House.....	Signed by President.....	Signed by Speaker.....
12. Senator DORR: Relative to a committee to visit New Whatcom normal school.....	215	.....	215	.....	.....	.....
13. Senator COLE: Relative to a committee to visit Eastern Washington hospital for the insane.....	215	.....	216	.....	.....	.....
14. Senator CROW: Relative to a committee to visit agricultural college.....	216	.....	216	290	.....	.....
15. Senator EASTERDAY: Relative to mileage of investigating committees.....	218	.....	218	.....	.....	.....
16. Senator HUGH: Relative to investigating the fishing industry of the Columbia river.....	224	.....	224	.....	.....	.....
17. Senator T. J. MILLER: Relating to state granted lands.....	268	.....	268	536	598	634
18. Senator CROW: Relative to classifying the states' indebtedness.....	337	{ 341 } { 342 }	349	.....	.....	.....
19. Senator McKEAY: Relative to a committee of "hold over" senators visiting the fishing waters during fishing season.....	360	.....	360	.....	.....	.....
20. Senator McKEAY: Relating to lands granted to the state by the congress of the United States.....	405	.....	.....	.....	.....	.....
21. Senator TAYLOR: Relative to printing Session Laws, etc.....	410	.....	{ 461 } { 721 }	{ 727 } { 728 } { 730 }	.....	.....
22. Senator TAYLOR: Relative to printing the Senate and House journals, and distribution of same.....	514	.....	514	714	.....	.....
23. Senator DECKENBACH: Relative to inauguration of President McKinley, and extending congratulations.....	571	.....	572	579	615	634
24. Senator T. J. MILLER: Relative to introducing a bill appropriating \$10,000.....	578	.....	578	.....	.....	.....
25. Senator WASHBURN: Relative to permission to introduce memorial relative to forest reserve.....	651	.....	671	653	679	682
26. Senator KNIGHT: Relative to permission to introduce memorial relative to forest reserve.....	652	.....	652	653	.....	.....
27. Senator WILSON: Relative to introducing a bill.....	674	.....	674	680	.....	.....
28. Senator PLUMMER: Relative to introducing a bill in Senate.....	680	.....	680	683	.....	.....

HISTORY OF HOUSE JOINT AND CONCURRENT RESOLUTIONS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT.

	Received from House	Taken up in Senate	Report of Committee	Action of Senate	Signed by Speaker of House	Signed by President of Senate
1. Mr. MATTHEW: Relating to election of United States senator by a direct vote of the people.	367	373				
10. Mr. WARNER (substitute for No. 3): An act relating to the appointment of a special investigating committee, to proceed to Walla Walla and investigate the affairs of that institution.	94	104		104	153	153
11. Mr. FREEMAN: In relation to the appointment of a committee to secure rooms for state officers.	228	232	271	296	332	332
12. Mr. KOEHLER: Relating to cases pending between settlers and certain railroad companies.	592	622	661			
13. Mr. RICHMOND: Relating to investigating committee.	652	672				
16. Mr. WITT: In regard to the appointment of a committee to draft a bill or series of bills to reduce the expenses of the state, by abolishing certain commissions and boards for the control of state institutions.	271			297		
17. Mr. LUSHER: Providing for a conference with the Senate Committee on Education.	229			231	272	272
21. Mr. ROBERTS: In relation to directing the senators and representatives of the State of Washington in congress to use their utmost endeavors to secure the passage by congress of an act providing for the free and unlimited coinage of silver and gold at the ratio of sixteen to one, etc.	580	621				
23. COMMITTEE ON STATE BUILDINGS, PUBLIC GROUNDS AND LIBRARY: In relation to the procurement, by exchange, of copies of the Session Laws for the use of legislative committees.	500	622		673	722	722
24. Mr. ROBERTS: Providing for a joint session of the Senate and House of Representatives to convene, as per request of the governor, for the purpose of receiving the Trans-Mississippi Exposition delegation, and fixing the hour of said joint session at 7 o'clock P. M., February 26.	463			471		
27. Mr. F. R. BAKER: Relative to the introduction of a bill, by Senator T. J. Miller, to appropriate money to pay the salaries of members and employes of this session of the legislature.	579			603	649	651
28. Mr. WARNER: Relating to asking that permission be granted for the purpose of introduction in House of a memorial memorializing the President of the United States and congress to cancel and revoke the forestry proclamation of the President of the United States, issued February 22, 1897.	650			646		
29. Mr. MARSHALL: Providing for the procurements by bids of suitable apartments for state offices and bids accompanying same.	737 } 763 }			742	789	790

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